

BUSINESS LAW – PAPER 3**1.0 General Performance**

- Performance was quite impressive; the pass rate was 81.53% up from 29.60% for the December 2010 examinations diet. This indicates was indeed a great improvement.
- Many candidates answered questions 4, 5 and 7 very well; question was 6 least attempted.
- Problem questions were not well answered; candidates should avoid unnecessary re-writing given facts of the problem questions in section B. Many candidates also wasted a lot of time listing parties for problem questions, yet the examiners were already aware about them.
- Candidates should also improve on their level of expression and should be precise to the point.
- Most candidates did not provide legal authorities while answering questions, particularly problem questions.

2.0 PERFORMANCE IN INDIVIDUAL QUESTIONS**2.1 Question 1:**

- This was a set of multiple-choice questions.
- These were fairly answered; most candidates scored 10 or more out of the 20 marks allocated.
- A few candidates, though, left some questions unanswered; some gave two answers for a question, while others wasted time by rewriting the numbers on a separate page instead of circling the answer of their choice as provided on the answer booklets!

2.2 Question 2:

- Required candidates to give advice on issues concerning contract law.
- Candidates who attempted this question did not perform very well; most of them could not raise relevant issues, resolve them and provide remedies.

2.3 Question 3:

- This was a problem question about company law.
- It required candidates to advise members in the scenario on how Bandana's removal could have been achieved and means by which he could have opposed.
- Most candidates knew the required answers, although some of them did not elaborate the answers well, particularly the procedure of removing a director from a company.

2.4 Question 4:

- This was also a problem question relating to employment law.
- It required candidates to: raise and resolve issues involved in the given scenario and provide remedies available to the workers in the scenario.
- It was generally fairly answered, especially the part concerning remedies in case of breach of a contract employment.

2.5 Question 5:

- Required candidates to write short on: Illegality of contract, essentials of a valid contract, voidable contracts and void contracts.
- The majority of candidates attempted this question and the answers given were satisfactory.
- No major weaknesses were observed.

2.6 Question 6:

- Required candidates to explain the relationship between an agent, principal vis-a-vis third parties.
- It was the least attempted question and performance was not good.

2.7 Question 7:

- Required to discuss the right and duties of partners in a partnership.
- Many candidates attempted the question and answered it quite well.
- No major weaknesses were observed.