CLA1503  EXAMPACK 2017
Nov 2016
1. 4 section 2 of the 1996 Constitution
2. 3 see the Jurisdiction of Regional Courts Amendment Act 31 of 2008
3. 4 see subdivisions of private law
4. 3 see negligence
5. 1 see the four classes of rights
6. 3 see the formalities of a contract
7. 1 an offer falls away if it is rejected by the offeree
8. 2 Mpho rejects Kgotso’s offer and the option falls away
9. 2 Mistake with regard to the identity of the other contracting party (error in persona)
10. 3 a contract influenced by duress is voidable
11. 3 section 130(2)(a) of the Children’s Act allows a 12 year old minor to independently consent to HIV test
12. 4 all humans have legal capacity irrespective of their personal qualities
13. 2 see supervening impossibility of performance
14. 2 see forms of obligations
15. 4 section 2 of the Alienation of Land Act 68 of 1981
16. 4 see cession agreement
17. 1
18. 1 see resolutive condition
19. 4 see suspensive condition
20. 4 see legality of a contract
21. 1 see repudiation
22. 4 it is a claim for specific performance
23. 3 see mora ex re
24. 2 see positive malperformance
25. 2 see discharge
26. 1 see delegation
27. 1 see essentialia of contract of sale
28. 2 see delivery forms
29. 4 see duties of the lessor
30. 2 see duties of the lessor
31. I see the maxim “huur gaat voor koop”
32. 3 resolutive condition
33. 4 see contract of mandate
34. The third party must have known that the agent was authorised
35. See an *actio pro socio*
36. See the natural consequences of a partnership agreement
37. Section 6 of the General Laws Amendment Act 50 of 1956
38. 3
39. Schedule 1 of FICA
40. Section 16(3) of the Consumer Protection Act 68 of 2008
June 2016

1. 4 see authoritative sources of South African law
2. 2 see Justinian’s codification of Roman law
3. 4 the rationale decidendi is the reason for the court’s decision
4. 2 see juristic person
5. 3 a personality right is a claim
6. 2 legal personality of a natural person begins at birth
7. 1 see the requirements for a valid contract
8. 2 see error in negotio
9. 2 an arrangement based on good faith only give rise to a gentlemen’s agreement and not binding
10. 2 see error in negotio
11. 1 a divorced minor does not retrieve minority
12. 3 see prodigal
13. 4 a minor perform juristic acts with assistance of a parent or guardian
14. 3 see Lotteries Act 57 of 1997 and the National Gambling Act 7 of 2004
15. 1 see restraint of trade
16. 2 see possibility of performance
17. 4 National credit act 34 of 2005
18. 3 implied terms are not expressed in words
19. 3 A condition is an uncertain future event to which a contract is made subject.
20. 4 Mora creditoris is a failure to perform on the part of the creditor.
21. 2 see repudiation
22. 2 see positive malperformance
23. 4 see specific performance
24. 2 see supervening impossibility of performance
25. 2 see the consequences of a cession
26. 1 see the purchase price
27. 3 see voetstoots clause
28. 1 see hypothec
29. 4 see ESTA
30. 1 see the maxim "huur gaat voor koop"
31. 2 see essentialia of the insurance contract
32. 4 see insuring with several insurers
33. 2 the third party must have known that the agent was authorised
34. 1 see ratification
35. 4 see the essential requirements for the establishment of a contract of partnership
36. 4 the object of the trust must be lawful
37. 3 see personal security
38. 3 see enrichment liens
39. 2 see Chapter 2 of the Consumer Protection Act 68 of 2008
40. 3 1 Schedule 1 of FICA
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1. 3 see jurisdiction of the High Court
2. 4 see sources of law
3. 2 see court judgment
4. 4 see divisions of law - crime falls under criminal law which is part of public law
5. 1 see grounds of justifications
6. 3 see usufruct
7. 1 see performance
8. 3 see the contract as a source of obligations
9. 4 it’s a mistake in regard to the nature of the legal act *(error in negotio)*
10. 4 see undue influence
11. 1 see the Children’s Act 38 of 2008
12. 3 see capacity to perform juristic acts
13. 3 see legal possibility
14. 2 see alternative obligation
15. 1 see formalities
16. 4 National credit act 34 of 2005
17. 3 see essentialia, naturalia, incidentalia
18. 1 see suspensive condition
19. 3 Mora creditor is a failure to perform on the part of the creditor.
20. 2 see consequences of creditor’s default
21. 3 see the execution of the contract
22. 4 see reduced performance
23. 1 see *lex commissoria*
24. 3 see cession
25. 1 see delivery forms
26. 3 see National credit act 34 of 2005
27. 2 see the rights and duties of the lessor
28. 3 see the essential elements of the contract of lease
29. 2 see the essentialia of the insurance contract
30. 2 see nature and basis of the insurance contract
31. 2 see personal liability of the agent or purported agent
32. 1 see the duties of the principal
33. 1 see the nature of a partnership
34. 2 see the basic requirements of a partnership
35. 4 see contract of suretyship
36. 4 see contract of suretyship
37. 3 see contract of suretyship
38. 3 see Consumer Protection Act
39. 3 see Consumer Protection Act
40. 4 see Consumer Protection Act
1. see court case citation
2. 4 see South African legal system
3. 1 see the four classes of rights
4. 4 see original methods of acquiring ownership
5. 4 see a contract as a source of obligations
6. 1 an arrangement based on good faith only give rise to a gentlemen’s agreement and not binding
7. 4 it's a mistake in regard to the nature of the legal act (error in negotio)
8. 3 see offer and acceptance
9. 1 see undue influence
10. 4 see misrepresentation
11. 3 section 130(2)(a) of the Children’s Act allows a 12 year old minor to independently consent to HIV test
12. 3 see prodigal
13. 1 a minor over the age of 7 can perform juristic acts with assistance of guardian
14. 3 see marriage out of community of property
15. 1 see legality of a contract
16. 2 see legality and unjustified enrichment
17. 1 see supervening impossibility of performance
18. 3 see restraint of trade
19. 2 see impossibility of performance
20. 3 section 2 of the Alienation of Land Act 68 of 1981
21. 3 see formalities of a contract
22. 3 see resolutive time clase
23. 1 see terms and conditions of a contract
24. 1 see breach of contract
25. 2 see positive malperformance
26. 1 see remedies for breach of contract
27. 4 see act of cancellation
28. 2 see consequences of a cession
29. 2 see objective of sale
30. 2 see delivery forms
31. 3 see contract of lease
32. 4 see contract of lease
33. 1 see non-indemnity insurance
34. 1 see the duty of good faith in insurance contracts
35. 4 see agency
36. 1 see forms of business enterprise - sole proprietorship
37. 1 see rights and duties of partners
38. 1 see forms of security
39. 4 see Consumer Protection Act
40. 1 see Consumer Protection Act