



ELIZADE UNIVERSITY

ILARA-MOKIN

ONDO STATE

FACULTY: Social and Management Sciences

DEPARTMENT: Business Administration

SECOND SEMESTER EXAMINATIONS

2018/2019 ACADEMIC SESSION

COURSE CODE: BUS 302

COURSE TITLE: COMPANY LAW

DURATION: 2 $\frac{1}{2}$ HOURS

HOD's SIGNATURE

TOTAL MARKS:

Matriculation Number: _____

INSTRUCTIONS:

1. Write your matriculation number in the space provided above and also on the cover page of the exam booklet.
2. Answer all questions in the examination booklet provided.
3. Attempt any 4 questions.
4. All questions carry equal marks (15 marks)

Question 1

- Examine with one or more examples the main consequences of the principle that the company is in law an artificial person distinct from its members.
- Give two (2) example of circumstances in which the court will look at the economic reality behind the veil of incorporation.

15 marks

Question 2

- Distinguish clearly between hire purchase contract and credit sale agent.
- Define contract of sale.
- What is the importance of the distinction between a sale and agreement to sale?

15 marks

Question 3

- Define a share
- Identify and discuss two (2) types of shares known to you.

3 Marks

12 Marks

Question 4

- Discuss the circumstances when a partnership can be classified by an order of a court *for ten marks*
- Discuss briefly any five (5) circumstances in which a person may identify participate in the profit of a partnership without being a partner.

15 marks

Question 5

What are the legal consequences of the following?

- The name of a proposed company for registration is Mercy Nigeria government limited.
- The share capital of a proposed private company for registration is #9,000.00 while that of a public company is #4,000,000.00.
- Write short notes on liquidator.
- What are the effects of registration of memorandum and article of association?

15 marks

Question 6

Daudu Ahmed is a friend to Musa Bature. Both of them had a business transaction which made Bature to be indebted to Ahmed to the sum of #1,500. After several demands for payment, Bature refused to honor same. Consequently Ahmed instituted court action against Bature in FCT high court. After adjudication was made by the court which declared Bature bankrupt. He started disposing his real and personal property. Bature also refused to surrender his movable property to official receiver appointed for that purpose. He attempted to avoid more reverencing on his transaction with Ahmed destroyed the books, documents and paper in his custody. Later Bature changed his business name to Musa. He has been obtaining goods on credit from different businessmen in their transaction.

Identify and discuss the issues in the above question.

15 marks