

QUESTION 1

Distinguish between:

- 1.1 The different types of terms which may be in a contract. (6)
- 1.2 Supervening impossibility of performance and rendering performance impossible. (4)

[10]

QUESTION 2

State whether the following contracts are *void*, *voidable* or *valid*. **Motivate** each answer.

- 2.1. Franck was declared a prodigal by a court law. He buys a lounge suit Hyperrama Furniture (Pty) Ltd and signs the agreement without any assistance.
- 2.2 Shasha is 19 years old and Shasha buys a lounge suit Hyperrama Furniture (Pty) Ltd. She signs the agreement without any assistance.
- 2.3 Shasha is 17 years old, married and Shasha buys a lounge suit Hyperrama Furniture (Pty) Ltd. She signs the agreement without any assistance.
- 2.4 Ronaldo is the owner of a shop selling football equipment. He instructed his secretary to order 20 white football shirts from Adidas (Pty) Ltd. The secretary typed the order but erroneously types 200 white football shirts instead of 20 white football shirts. Ronaldo signed the order and Adidas (Pty) Ltd duly delivered 200 white football shirts. Ronaldo refused to pay as he claimed that he wanted 20 white football shirts only.
- 2.5 Ronaldo made an offer to Drogba for the sale of his shop in Clifton. Drogba accepted the offer after Ronaldo told him that shop was recently renovated and in perfect condition. Later Drogba discovered that the roof leaks, that the wooden floors needed to be replaced due to the water and that the electricity of the shop was defective. Ronaldo was aware of these problems at the time of contract and failed to inform Drogba.
- 2.6 Ronaldo agrees to sell his newly built house Eto for R400 000, 00. They drank a glass of champagne to conclude the deal.
- 2.7 Reuben, a very successful entrepreneur, sells his business to Bruce Lee for a mere R100 000,00 after Bruce Lee threatened to break both his legs should he not sell the business.
- 2.8 James buys mandrax from Dealer for R1000.
- 2.9 Bryan was declared insolvent in March 2014. He enters into a contract with Percy for the sale of Percy's Bed and Breakfast. The trustee does not know of this contract that Bryan has entered into.

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ML Morrison



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