

BICA LAW EXAMINATION

DECEMBER 2017 PAPER 1

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SOLUTIONS

1. A
2. D: AG v Dow
3. D
4. C
5. A
6. C: Golden rule to remove the absurdity of the literal rule
7. C: The court's jurisdiction only considers industrial disputes
8. B: False
C: True
9. A: Authority can be acquired through a cession
10. A
11. C
12. C
13. C
14. C
15. A: True
C: True
16. B: False
C: True
17. A
18. B: False. Section 262 of the Companies Act does not make it compulsory for the CC to appoint a manager
D: False. Section 2 of the Companies Act-fiduciary duties of members; each is an agent of the company and his co-members
19. A
20. D
21. D
22. B: False
D: False: remoteness of damage
23. D: No liability of the auditor to the persons mentioned; Caparo case.
24. B
25. B-Section 515 of the Companies Act
26. B: False
D: False
27. B: False
C: True
28. D
29. C
30. D: Section 191 of the Companies Act
31. C: Section 179 of the Companies Act
32. A; See section 197 for removal of auditor

33. B: False
D: False. Sections 25-27 of the Companies Act
34. D: This is the only correct answer. See section 107
35. B: False
C: True
36. C
37. C
38. D: See section 47
39. D
40. B: False
D: False
41. D: Section 256 of the Companies Act
42. C
43. B: Section 409 of the Companies Act
44. B
45. B: False
D: False
46. D
47. D: Sections 53-56 of the Proceeds and Instruments of Crime Act; Accountants Act; Financial Reporting Act
48. D
49. B: Specific performance is not an appropriate remedy in contracts of a personal nature
50. A
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