



**THIRD YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
FIRST SEMESTER, 2022/2023
(SEPTEMBER-DECEMBER, 2022)**

LLBK 319: CONSUMER PROTECTION LAW

STREAM: LLBK Y3 S1

TIME: 2 HOURS

DAY: FRIDAY, 9:00 – 11:00 A.M.

DATE: 09/12/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.**
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.**
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.**

QUESTION ONE

- a) Discuss instances where a statement made by a supplier or manufacturer would be held to be a misrepresentation. In what situations would the person making the representation be absolved from liability for the statement made. (12 Marks)
- b) Agrofoto Investments are in the process of importing some milking machines. Local suppliers indicate that they do not stock the machines but that they can lead Agrofoto Investments to their suppliers. Agrofoto Investments approach you seeking your views before they enter into any transaction.
 - i. Agrofoto Investments have visited a website where a variety of machines are available at various prices. They want to buy and are ready to deposit the money. What challenges would you alert them to in doing this? (8 Marks)
 - ii. Agrofoto Investments have paid \$5,000 to Maziwarimis to send the milking machine they have advertised on their website. It emerges that they are not able to ship the machine since they are merely agents of PolePole Services who actually produce the machine, and

Go Slow indicate the machine can be ready 'maybe in 3 months' time'. Your client seeks advise on how they can get out of the deal. (10 Marks)

QUESTION TWO

- a) Give an exhaustive legal proposition to a client seeking guidance on how to indicate the price of a product and also price comparisons of products. (12 marks)
- b) Daxell is an online store that avails cosmetic products, it indicates a 'flash sale' where products are listed as being reduced in price by up to 75%. Your client, Rayamba, logs into the site and makes orders for which she is informed are unavailable under the offer. She is further informed that she has to but the products at the previous price as they are available as 'fresh stock'. Explain to your client the form of advertising used by Daxell, and whether Rayamba has any legal rights in the scenario. (8 marks)

QUESTION THREE

- a) Write explanatory notes on the following: -
- i) Reverse Options (6 Marks)
 - ii) disadvantages of e-procurement (4 Marks)
- b) Define sustainable consumption and cite its challenges with emphasis on the disadvantages role that the corporate sector plays in assuring sustainable consumption. (10 Marks)

QUESTION FOUR

Mpabbe Bank Limited sends out its sales team to entice people to take up an offer where for every new Bank Account opened, the customer would get a Credit Card.

- a) Kirsten is approached and opens an account with the Bank. She does not need the Credit Card but take it anyway. Is there a contractual relationship between Kirsten and the Bank with regard to a Credit Card Kirsten carries around for social prestige? (11 Marks)
- b) Explain the specific statutory exclusions regarding supply credit agreements. (9 Marks)

QUESTION FIVE

- a) Define Market in Competition Law and exhaustively discuss what is dominant position in a market. (12 Marks)
- b) Create a template of the need for consumer education on fertilizer supply and expound on any challenges that require specific attention (8 Marks)