

THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAMME – LEVEL VI
CONTINUOUS ASSIGNMENT TEST 1 2023/2024
COMMERCIAL LAW –LLU6716
DURATION – 01 HOUR



Date: 2024.11.06

Time: 01.30 p.m.-02.30 p.m.

Total number of questions – 02

Answer one (1) question only.

Candidates will be penalized for illegible handwriting.

1. The definition provided in the Sale of Goods Ordinance No. 11 of 1896 for the term "contract of sale of goods" clarifies the distinction between a sale of goods contract and other agreements that may appear similar to a contract for the sale of goods. Discuss.

(20 Marks)

2. "Juicy Delights" is a juice distribution outlet. The outlet has a prominently displayed sign stating, "Fresh organic juice for sale." Silva visited Juicy Delights and requested two liters of juice, explaining to the staff that it was for his five-year-old son, who had a poor appetite but loved juice. After drinking the juice, Silva's son fell seriously ill. An analysis of the juice revealed that it contained harmless preservatives, as well as harmful additives, and that its fruit content was only 35%.

Silva wishes to seek relief from Juicy Delights.

- i. Advise Silva regarding the remedies available to him under the implied conditions and warranties contained in the Sale of Goods Ordinance. Support your answer with relevant case law.

(15 marks)

- ii. Would your answer be different if there was a notice in the shop stating that Juicy Delights was exempt from all liability regarding their products?

(5 marks)

(20 Marks)

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