



CHARTERED INSTITUTE OF BANKERS, GHANA

ASSOCIATESHIP EXAMINATION

LEVEL I

PRINCIPLES OF BANKING LAW

OCTOBER 2022

N.B.

- 1. Read carefully the instructions on the cover of the answer book.**
- 2. Answer FIVE QUESTIONS.**
- 3. All questions carry equal marks.**
- 4. Time allowed: THREE HOURS.**
- 5. Candidates must ensure that they answer questions in the appropriate answer book and NOT on loose sheets which are used only as supplementary sheets. Such answers will not be marked.**
- 6. DO NOT WRITE YOUR NAME ON THE ANSWER BOOK.**
- 7. DO NOT OPEN THIS QUESTION PAPER UNTIL YOU HAVE BEEN INSTRUCTED TO DO SO.**

ANSWER ANY FIVE (5) QUESTIONS

1. Kwame Burger borrowed GHC 1 million from PPT Bank Ltd and mortgaged his house to secure the loan. He has since defaulted in the repayment of the loan. Explain the options available to the PPT Bank to recover the indebtedness of Kwame Burger. Which one you would recommend and why?

(20 marks)

2. Compare and Contrast:

a) Ratio Decidendi and Obiter Dicta

(10 marks)

b) Assessors and Jurors

(10 marks)

(Total: 20 marks)

3. Discuss any three (3) different kinds of land ownership known under the Ghanaian Customary Law.

(20 marks)

4. Explain the Common Law Principles governing consideration in the law of contract.

(20 marks)

5. Discuss the difference between a Cheque and a Bill of Exchange.

(20 marks)

6. Discuss the characteristics of a negotiable instrument as distinguished from a document showing or evidencing a non-negotiable document or contract.

(20 marks)

7. (a) Condition Precedent, Condition Subsequent and Condition Concurrent are three types of conditions that may appear in a contract. Explain each of them.

(15 marks)

(b) Examine the scope of Contract Uberrimae Fidei.

(5 marks)

(Total: 20 marks)

8. (a) Discuss the Rule in Ryland's v. Fletcher 1868.

(10 marks)

(b) What are the Defences available to the Rule in Ryland's .V. Fletcher?

(10 marks)