



CHARTERED INSTITUTE OF BANKERS, GHANA

ASSOCIATESHIP EXAMINATION

LEVEL I

PRINCIPLES OF BANKING LAW

APRIL 2024

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

QUESTION 1

Yaa Asantewaa bought and drank Denice Ginger Beer manufactured by Denice Breweries. She got injured because kerosene was found in the bottle of the ginger beer.

Advise Yaa Asantewaa on a case of negligence against Denice Breweries. (20 marks)

QUESTION 2

“Frustration or subsequent impossibility is a way by which a contract may be discharged.” Discuss the circumstances in which a contract will be held discharged by the operation of the doctrine of frustration. (20 marks)

QUESTION 3

(a) Explain a contract of Guarantee. (5marks)

(b) What are the requirements of a valid Guarantee? (15marks)

(Total – 20 marks)

QUESTION 4

State and explain the difference between Executor (appointed by one who makes a will) and Administrators (appointed by members of the family of a deceased who dies intestate – that is without making a will). (20 marks)

QUESTION 5

Describe the features of a Private Company. (20 marks)

QUESTION 6

(a) Discuss the Duties of a Bank to its Customer under the Bank/Customer Relationship. (15 marks)

(b) What are the limitations to the Duty of Secrecy and Confidentiality? (5 marks)

(Total – 20 marks)

QUESTION 7

Explain the following types of Bank Accounts.

- i. Partnership Account (5marks)
 - ii. Joint Account (5marks)
 - iii. Clubs and Societies Account (5marks)
 - iv. Trust Account (5marks)
- (Total – 20 marks)

QUESTION 8

The Supervisory Jurisdiction of the Supreme Court of Ghana is exercised through the issuance of the Prerogative Orders of

- i. Habeas Corpus
- ii. Certiorari
- iii. Mandamus
- iv. Prohibition
- v. Quo warranto for the purpose of enforcing or securing the enforcement of its supervisory powers.

Discuss any *four (4)* of these Prerogative Orders. (5 marks each)

(Total – 20 marks)