

**BINDURA UNIVERSITY OF SCIENCE EDUCATION**

**FACULTY OF COMMERCE**

**DEPARTMENT OF BANKING AND FINANCE**

**BANKING LAW (BS 235)**

**DURATION: 3 HOURS**

16 - DEC 2018

**INSTRUCTIONS TO CANDIDATES**

1. Answer any **four** questions. All questions carry 25 marks each.
  2. Start an answer to a question on a fresh page.
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**QUESTION ONE**

- a) Describe the three main sources of banking law in Zimbabwe. (6)
- b) Explain any four grounds upon which registration of a bank may be cancelled. (4)
- c) Compare and contrast the four classes of banking in Zimbabwe citing examples of bank names that fall under each class. (15)

**[25 marks]**

**QUESTION TWO**

- a) Explain the four objectives of banking law. (8)
- b) Explain three main interests of a banker when dealing with a company customer. (6)
- c) With aid of relevant cases, describe the customer of a bank. (11)

**[25 Marks]**

**QUESTION THREE**

- a) Describe five accounts that are offered by banks. (5)
- b) With aid of relevant cases, explain the circumstances under which a bank-customer relationship can be terminated. (10)

- c) Explain the five main forms of real security available under Zimbabwean Law. (10)

[25 marks]

#### QUESTION FOUR

- a) Explain the law of Delict. (5)
- b) 'The determination of the moment in time at which an electronic payment is said to be completed may be difficult'. With aid of relevant law cases, discuss six possible points at which payment is regarded as executed. (20)

[25 marks]

#### QUESTION FIVE

- a) Explain three types of negotiable instruments governed by the Bills of Exchange Act. (6)
- b) Compare and contrast the two types of defences that can be raised against a holder of a cheque. (19)

[25 marks]

#### QUESTION SIX

- a) Explain the three types of exchange control authorities in Zimbabwe. (6)
- b) Discuss the legal aspects of exchange control in Zimbabwe. (19)

[25 marks]

**END OF PAPER**