

Business law:assignment assignment

[Business](#), [Management](#)



On this occasion, he told Delia, Super's proprietor, that he would like to buy an oven (model mentioned) for his bakery. Delia wrote down the details in a purchase order form and told him, 'Please read all the terms carefully and then sign this form.' The form was in English and one clause, which was in large print, said that Super was not liable for any loss of its customers due to any breach of contract and there was no refund for any item purchased from it in any situation. Cliff did not understand English but he nevertheless signed the form.

When he bought bakery equipment from Super before, he had signed the same form (also in English and having the same words including the same exemption clause) on all the occasions. He had never told anyone who worked in Super that he did not understand English. And he found that it could not work. He demanded a refund from Super immediately but Delia refused. Discuss whether Cliff can get the refund from Super under contract law principles. What would be your answer if Cliff had never dealt with Super before?

Question Two (13 Marks in total) (word limits for both parts of the question together: up to 1,500 words) Part A (9 marks) On 1st October, Joyce visited King Dancing School (King's). Eric, the manager, told her that she would be taught by David who was one of the leading star dancing teachers in Hong Kong if she became its student. In addition, the brochure of King mentioned that it is planning to give financial awards to students who perform well in class but this information was for reference only. On 1st November, Joyce enrolled in a 20-session course offered by King.

The written contract that she signed with King stated that she was to be taught by David. The contract did not mention about the financial award. She bought a dancing costume from King also. Before she attended the first session, she learnt that many dancing teachers were better than David in teaching dancing and he was not well known in the industry. In addition, she found that King had no plan at all to give financial awards to students who perform well in class. Joyce felt very upset and distressed accordingly.

Discuss the remedy (remedies) Joyce is entitled to from King. Part B (6 marks) Sharon, the owner of a small restaurant, always relied on Raymond business advices (Raymond is a famous business advisor). On one occasion, Raymond invited Sharon to buy his bakery from him. Sharon agreed and they made the transaction. The price was reasonable but Raymond did not tell Sharon that not many people purchased bread from the bakery since it was far from the nearest residential building. Discuss whether Sharon can rescind the agreement she has made with Raymond. END –