



Bachelor of Laws Program in Business Laws (International Program)

Faculty of Law, Thammasat University

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LB 100 Introduction to Law and Legal Systems

Question 1

Please choose **TWO** of the following questions to answer

- (1) Is written law the only determining factor for being a civil law system?
- (2) Is a court decision a source of law under Thai law?
- (3) What are *ius aequum* and *ius strictum*?

(30 marks)

Question 2

Lisa and Ed, who were legally married, have one child named Bean. When Bean was 2 years old, his parents moved to work and live in Bangkok and left him in the care of Kate, Ed's mother, in Chiang Mai. Kate brought up Bean alone. When he was 18 years old, he decided to leave school to set up business in Chiang Mai. With Kate's financial support, Bean opened a used car showroom. He started his business by purchasing two used cars from Jack to put in his showroom. Kate signed as the witness in the sales contract between Bean and Jack. Bean made a substantial profit out of the resales of the two used cars. Shortly afterwards, he used up all profit (1,000,000 baht) buying a diamond ring from David to give his girlfriend Sara as a birthday present. Please answer the following questions.

(1) Are the sales contract of the two used cars and the sales contract of the diamond voidable? Please note that the contracts in question were all made when Bean was 18 years old.

(2) Where was Bean's domicile when he was 18 years old?

/ (3)...

(3) On 13 November 2015, Bean was in the pub in Paris which was attacked by terrorists. No one has seen him ever since. Today Lisa and Ed would like to withdraw some money from Bean's saving accounts, how can they do so? Please advise. (20 marks)

Question 3

TU Fruits Export Company Limited ("Company") is registered under Thai law with the object of exporting Thai fruits. Matt, Oz and Dee are members of the Company's Board of Directors. Matt is the only child of Oz and Ant who are legally married.

(1) The Board of Directors would like to buy 2 ton of Chinese garlic from Ant, who has offered a price which is much lower than the market price. The garlic will be sold in Thailand, and the Board of Directors expect to make a substantial profit out of it, which should improve the Company's financial situation. However, they are uncertain whether the contracts will legally bind the Company and, if not, whether there will be solutions for making a binding contract with Ant.

(2) Phil is employed as a messenger of the Company on a full-time basis. Dee asked him to pick up his children at school after he finished delivering documents to some customers of the Company. After Phil picked up the children, he took them to Dee's house. Before they reached the destination, Phil fell asleep resulting in an accident. Phil's car hit Cherry, who drove carefully. Cherry demanded that the Company and the Board of Directors jointly compensate her for her loss. Are the Company and all members of the Board of Directors liable for Phil's wrongful act?

(20 marks)

- Rules :
1. The examination starts at 13.00 and finishes at 16.00.
 2. Do NOT write your name or identify yourself in the answer sheet.
 3. You must NOT bring any documents or materials including clean sheets into the examination room. Failure to observe this will be deemed cheating and lead to disciplinary action.