

College Name: Faculty of Law.  
Course No: LWEN 2318  
Course Title: Law of Tort.  
Instructor Name: Eman Al Burbar  
Date: 2019 /04/15  
Time: 1 hours.

University of Palestine



Second Midterm Exam  
The Second Semester – 2018/2019

Student Name: \_\_\_\_\_

Student No.: \_\_\_\_\_

No. of Questions: (3 )  
Using Dictionary (No)

**Question One:**

**(5 Marks)**

**Decide whether the following sentences are True (T) or False (F) and with correction?**

- 1- If a dangerous defect is discovered prior to it causing a damage to other property, then this will not be recoverable ( ).
- 2- A builder will usually only be liable for appeared defects which cause personal injury or damage to other property. ( ).
- 3- The defendant will have fulfilled his duty if he has behaved in accordance with the standard of the skilled man. ( ).
- 4- Very young children were incapable of negligence as they were incapable of foreseeing harm. ( ).
- 5- The 'but for' test will not be of much assistance where the defendant has been affected by two successive acts or events. ( ).

**Question Two:**

**Give integrated legal definitions.**

**Res ipsa loquitur:**

**Novus actus interveniens:**

**Occupier:**

**Visitor:**

**Non –Delegable duty:**

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**Question Three:**

**(5 Marks)**

Explain how the occupier can discharge his duty of care and clarify it by examples.

*Good Luck*