



# *Session 37*

*Contract Law 2*

*Cases 2*

## Case 1

For your holiday you bought a underwater camera; the camera has 1 year warranty. You examine it for defects but you see none. A couple of weeks later, during the first scuba diving you discover that water leaks in. As soon as you come back to Switzerland you go back to the shop and ask the shop assistant to change the camera. He refuses. What can you do?

### *Tasks*

- *Identify the parties involved*
- *Identify the legal issue(s)*
- *Outline their contractual relationship*
- *Identify applicable sources of law*
- *Identify the debtor & creditor party*
- *Identify the legal risks of each party (what are likely to lose if the case goes to court)*
- *Answer the question*

## Case 2

Paul sells bicycles. A teenager of 15 years of age buys a moped; she pays in cash. The following day she comes back to the shop with her father who wants Paul to get the moped back and retribute the amount arguing that he does not agree with the purchase. Paul is furious; can he refuse?

### *Tasks*

- *Identify the parties involved*
- *Identify the legal issue(s)*
- *Outline their contractual relationship*
- *Identify applicable sources of law*
- *Identify the debtor & creditor party*
- *Identify the legal risks of each party (what are likely to lose if the case goes to court)*
- *Answer the question*

## Case 3

Jacques goes to Sports LTD to purchase a particular bicycle but the shop does not have it on stock; the salesperson shows Jacques a catalogue and Jacques makes his choice; the sales person notes down all the extras that Jacques wants on an order form. When back home, Jacques thinks it is a bad idea to take this bicycle and phones the shop to cancel the order. Sports Ltd refuses claiming that a contract has been made. What can Jacques do?

### *Tasks*

- *Identify the parties involved*
- *Identify the legal issue(s)*
- *Outline their contractual relationship*
- *Identify applicable sources of law*
- *Identify the debtor & creditor party*
- *Identify the legal risks of each party (what are likely to lose if the case goes to court)*
- *Answer the question*

## Case 4

Being keen on buying a fish for your aquarium you decide on purchasing a piranha. You manage to find the fish but not having enough money you set off to the bank and leave the fish with the shop assistant. On your return your fish is dead. Should you pay the price?

### *Tasks*

- *Identify the parties involved*
- *Identify the legal issue(s)*
- *Outline their contractual relationship*
- *Identify applicable sources of law*
- *Identify the debtor & creditor party*
- *Identify the legal risks of each party (what are likely to lose if the case goes to court)*
- *Answer the question*