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**CERTIFIED PUBLIC ACCOUNTANT  
FOUNDATION LEVEL 1 EXAMINATIONS**

**F1.2: INTRODUCTION TO LAW**

**DATE: WEDNESDAY 26, NOVEMBER 2025**

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**INSTRUCTIONS:**

1. Time Allowed: **3 hours 15 minutes** (15 minutes reading and 3 hours writing).
2. This examination has **seven** questions and only **five** questions are to be attempted.
3. Marks allocated to each question are shown at the end of the question.
4. The question paper should not be taken out of the examination room.

## QUESTION ONE

a) Mukamana and Murekatete were pleading for their case before the Primary Court of Nyarugenge on a dispute related to servitudes (Mukamana needs a servitude to reach her plot). Mukamana pleaded that she has the right provided by the law to get a right of passage from Murekatete's neighbor leading to her land because there is no other way to reach her plot. Murekatete pleaded that she is the owner of a plot; therefore, she has to enjoy all rights conferred by the Constitution of Rwanda of 2003 as revised in 2015. She further explained that the rights she is fighting for are clearly mentioned in Article 34, paragraph 2, that private property, whether owned individually or collectively, is inviolable; therefore, no one can force her to give a right of passage without her consent. Murekatete went on explaining that it is not mandatory to give her a right of passage to reach her plot, and if she really needs it, she would inform her and assess if it can be possible and negotiate the price, and make a contract of sale. Murekatete continued arguing that if the law provides the same as argued by Mukamana, that she must give her a right of passage without any negotiation, she might question the purpose of the law that can violate others' rights.

### **Required:**

- i) Examine the case and argue who is wrong between Mukamana and Murekatete, and explain your position. (3 Marks)**
- ii) Explain the purpose of the law in a society and mention any 4 examples of how the law helps the society. (5 Marks)**

b) Mr. Kamali Paul was arrested on 10<sup>th</sup> January 2024, and he was suspected of committing an offence of issuing a bouncing cheque. Mr. Kamali Paul after being arrested, he was detained in Nyarugenge Correctional Facility by an investigator. An investigator prepared a preliminary report and submitted it to the prosecution for further proceedings. After 10 days from the reception of the report of an investigator, a prosecutor filed a case in court for pleading the substance of the case. On the day of the pleadings, before other things, Mr. Kamali Paul requested the court to release him on the basis that he was illegally detained because he was detained in Nyarugenge Correctional Facility without being interrogated by the prosecutor nor the decision of the court. The accused said that based on his knowledge, the procedural law is above the substantive law, and the prosecutor argued that the substance of the case should be pleaded and decided by the court if he is guilty or innocent, as the only way to release the accused.

### **Required:**

- i) As a law expert, make a difference between substantive law and procedural law and provide examples as illustrated in the case study. (4 Marks)**
- ii) Based on the case study above, explain your position on whether the ignorance of the procedural law can be the basis of losing the rights and privileges. (2 Marks)**

c) Mr. Karangwa Peter a civil servant, went for a break at 13h00 and took an opportunity to have lunch and drink beer. In a break of one hour, he drunk 4 bottles of beer and came back to work. When he was discussing with his colleague, Mr. Kamanzi Jean, on a dispute related to a misunderstanding on which decision can be taken and submitted to the Director arose. Mr. Karangwa Peter became furious and started to beat Mr. Kamanzi Jean and broke his right arm. Immediately, the investigator was called and Mr. Karangwa Peter was arrested for the offence committed.

**Required:**

From the above case scenario, **mention and explain the possible sanctions that can be given to Mr. Karangwa Peter for his misbehavior.** (6 Marks)

**(Total: 20 Marks)**

**QUESTION TWO**

a) Mrs. Umutoni and Mr. Kaneza have a civil dispute related to a contract for the sale of a car. When negotiation became impossible, Mrs. Umutoni decided to refer it to the court as the last step of dispute resolution. In the pleadings, the Judge of the Intermediate Court of Gasabo asked the parties to explain the hierarchy of the law and mention the law that will be used in the case, as each party was arguing the law that is different from another, because they think it is in their favor.

**Required:**

- i) As a student of Introduction to Law, **discuss the hierarchy of Law in Rwanda.** (5 Marks)
- ii) Based on the case study, **discuss the way out if there is a contradiction between the laws, and provide THREE examples.** (4 Marks)

b) Mr. Kananga, a citizen of the rural area of Nyamasheke District, usually listens to the Radio Inteko to be aware of the laws enacted because he heard that ignorance of law is not a defense. One day, he followed on the radio the when an organic law on elections was in a process of being enacted and he asked himself different questions.

**Required:**

- i) As a student of Introduction to Law, you are approached by Mr. Kananga for more information about organic law. **Explain to him the prerequisite condition of establishing an organic law.** (1 Mark)
- ii) Mr. Kananga thinks that he can contribute by providing an opinion on the matters that can be the basis of enacting an organic law, but he does not know which ones fit. **List FOUR matters that are transferred to the organic laws.** (4 Marks)

c) Andrew and Peter were discussing on the place of a custom in any society. Andrew was arguing that the custom is no longer used as the world is guided by the law. Peter said that the law and custom are the only sources of law with binding force. And he added that the judge is bound by a legal or customary solution when he has to rule on litigation before him/her. He concluded that he knows that a custom to be bound, there are elements that must be present, but he does not know them.

**Required:**

As a Law expert who knows more about custom and its place in sources of law, **comment on a discussion, and if you agree with the statement argued by Peter about the elements of a custom, mention them.** (6 Marks)

**(Total: 20 Marks)**

**QUESTION THREE**

a) An investor comes to Rwanda to search for the information that can attract him to invest and find out the business opportunities, and meets you at the Kigali International Airport as you are waiting for your brother's flight to land in an hour time. He approaches you and asks you to tell him in detail about Rwanda, more precisely how it promotes the rule of law and the structure of the judiciary as it is his first time coming to Rwanda. Before thinking where to start, your sister started to argue that Rwanda is a sovereign country that recognizes the supremacy of the Constitution and the separation of powers. When she wants to continue, an investor asked the structure of the judiciary of Rwanda.

**Required:**

As an expert in Rwandan Law, **discuss the structure of courts in Rwanda.** (10 Marks)

b) Mrs. Umunyana received a loan from Tuzamurane Plc of FRW 20,000,000 to be reimbursed in four years. Tuzamurane Plc is a microfinance registered in Rwanda at Nyarugenge District, Muhima Sector. The borrower has mortgaged her house valued at FRW 30,000,000 located in Muhima Sector. Mrs. Umunyana defaulted the loan, the microfinance valued again the house and found out that it has a value of FRW 20,000,000 and therefore it auctioned the house at FRW 10,000,000 on the second time. Mrs. Umunyana is not happy with the decision of Tuzamurane Plc and she needs to lodge a case in court for cancelling the auction.

**Required:**

i) As an advocate of Mrs. Umunyana, **mention the court that has competence (subject matter jurisdiction and territorial jurisdiction) to hear the case and explain your position.** (3 Marks)

ii) If one of the parties is not happy with the decision of the first instance, **mention the competent court (subject matter jurisdiction and territorial jurisdiction) to hear the appeal.** (2 Marks)

c) Mr. Bikorimana, 16-year-old living in Gasabo District, Kimironko Sector, was arrested on charges of theft of FRW 1,000,000 from his Boss with aggravating circumstances of committing the crime through possession of keys other than the owner. Mr. Bikorimana is pleading not guilty, but the investigator and the prosecutor are collecting all the evidence needed because they are convinced that an offence was committed by him.

**Required:**

i) Assume you are a prosecutor and that you have collected all evidences and you decide to lodge a case to court, **mention the competent court (territorial and subject matter jurisdiction) and explain your position.** (3 Marks)

ii) Suppose that Mr. Bikorimana was convicted for the offence of theft with aggravating circumstances and wants to appeal the decision of the court, **mention the competent court (territorial and subject matter jurisdiction) to hear the appeal.** (2 Marks)

**(Total: 20 Marks)**

**QUESTION FOUR**

a) Ndera Ltd, as a construction company, is dealing on a construction contract worth FRW 100,000,000,000 with TXZ Ltd for the duration of one year. In the clause of dispute resolution, they are hesitating on which way a dispute will be resolved between litigation and arbitration.

**Required:**

i) You are approached by TXZ Ltd as a Law expert, **convince TXZ Ltd to use arbitration by giving them FOUR advantages of using arbitration as opposed to litigation.**

(4 Marks)

ii) **Discuss the important information that should be included in the clause of dispute resolution, especially when it will be an arbitration.**

(4 Marks)

iii) An agreement was reached and agreed to use negotiation as a pre-requisite condition of dispute resolution before taking the second step of arbitration. During the time of executing the contract, a dispute arose and they are dealing with the procedures to be used for getting an arbitral award. Ndera Ltd lodged a case to arbitration immediately. As you are appointed as an arbitrator, **comment on it.**

(1 Mark)

iv) The procedures were normalized and all parties pleaded for their cause. TXZ Ltd presented documents that they consider as forged documents and requested the arbitrators to decide on them and convict the offenders for the offence. As an arbitrator, **decide on the issue.**

(3 Marks)

b) Article 14 of the law N°32/2016 of 28/08/2016 governing persons and family provides the grounds for termination of legal personality. The following articles regulate the procedures for confirming the termination of legal personality and the institutional frameworks, if needed.

**Required:**

As a student of Introduction to Law, **discuss the grounds for termination of legal personality and explain the procedures for confirming them.** (8 Marks)

**(Total: 20 Marks)**

**QUESTION FIVE**

a) Every physical person is legally characterized by a set of qualities or attributes to which legal consequences are attached. That set of qualities is known as the civil status of a person. The civil status of a person distinguishes him from all other entities. The civil status of a person therefore personifies him and determines his role in society and distinguishes him from all other entities, as far as the enjoyment and exercise of civil rights are concerned. The civil status determines the civil rights of a person.

**Required:**

i) As a Law expert, **discuss the elements that compose the person's status.** (6 Marks)

ii) The civil status of a person is determined from different angles. **List in the narrow sense the basis of identifying a person.** (4 Marks)

b) Mr. Charles Brown, a British citizen who has an insurance company called BPD Ltd, has started the process to be licensed in Rwanda for doing a business of providing life insurance. The Regulator informs the company that in five months, it will be given the license and requested it to submit the names of its agents for approval. Mr. Charles Brown did not know that in Rwanda, agents of insurance business industry are also licensed by the Regulator and as a foreigner who is going to start business in Rwanda, he does not know the laws and procedures.

Mr. Kamanzi, a long-lasting friend of secondary school of Mr. Charles Brown, informs him that you have learned the agency relationship in introduction to law and wants to get more from you about the matter and you are approached.

**Required:**

**Explain to him with relevant the FIVE ways an agency can be created.** (10 Marks)

**(Total: 20 Marks)**

## QUESTION SIX

a) Mr. Ganza George, a man of 16 years, inherited the properties of his parents and he is living a high-standard life where after every three months, he travels to different continents, especially in Europe, Asia and America. After using the money that was in account, he decided to sell one of the houses located in Kicukiro District on the price of FRW 100,000,000. An agreement was reached with Mr. Kanamugire Charles, a married man of forty years, and he paid the price and started the process of property transfer. Mr. Ganza George after receiving the money, travelled to Dubai with his friend Miss Akimana Betty to enjoy and he switched off his phone. It has taken two months of waiting by Mr. Kanamugire Charles for Mr. Ganza George to transfer the property, but in vain, he comes to you for advice.

### Required:

As an expert in contracts, after analyzing the case, **discuss the basic requirements for a valid contract and advise him.** (9 Marks)

b) Mrs. Umutesi Consolate was deadly ill and hospitalized in one of the leading private hospitals in Rwanda as she was treated by a medical doctor, Dr. Kamana Jane whom after examining all the medical exams of Mrs. Umutesi Consolate, told her that it needs FRW 38,000,000 for her medical treatment. Mrs. Umutesi Consolate as she did not have such amount of money, decided to sell her house located in Musanze District to get the money and Dr. Kamana Jane agreed to buy it at the price of FRW 40,000,000. A contract was signed by the parties and the price of the contract was given to Mrs. Umutesi Consolate and therefore the medical expenses were cleared. When Mrs. Umutesi Consolate recovered, Dr. Kamana Jane approached her for property transfer and she refused by saying that the property has a value of 80,000,000FRW and that time she was under undue influence and she wanted the contract to be cancelled.

### Required:

- i) As an advocate of Dr. Kamana Jane, **advise her.** (4 Marks)
- ii) As the dispute between Mrs Umutesi Consolate and Dr. Kamana Jane is in the process of being resolved, Mrs Umutesi Consolate added that the contract should be canceled because of a lack of consideration. Dr. Kamana Jane comes to you for advice, **analyze the case and advise her.** (4 Marks)
- iii) Article 41 of the law n°45/2011 of 25/11/2011 governing contracts provides that a promise without consideration can be bound. There are some requirements provided for the article mentioned. **Discuss them** (3 Marks)

**(Total: 20 Marks)**

## QUESTION SEVEN

a) The country is organizing the election of its president to be held in November 2023. Because of the election, its Parliament is busy drafting different laws to facilitate the election and has to be published in the Official Bulletin at the end of October 2023. Mr. Cambyeses of the opposition party has declared that he is a Presidential Candidate. The party in power looks at Mr. Cambyeses as a threat to its candidate who still serves as the President of the country. The party in power is influencing Parliament to add to the requirements of being a presidential candidate, the candidate should have at least a PhD qualification, the candidate should not be from the Southern part of the country and the candidate should be a married citizen of the country.

The analysis shows that Mr. Cambyeses does not meet these additional requirements and the citizens want to go on strike against the proposed requirements on the basis of the fact that the proposed requirements do not fulfil the characteristics of law. Mr. Cambyeses is approaching you as a student of Introduction to Law to know if the draft law is within the law on the basis of the characteristics of law and other laws.

### Required:

- i) As a candidate of Introduction to Law, **inform him the characteristics of a law and mention which one was not considered in this case study.** (8 Marks)
- ii) Four types of rules are reputed to be prohibitive. **At least mention THREE of them** (3 Marks)
- b) The legal systems in place throughout the world have origins that date back to ancient societies. Some countries are the founder of those legal systems while others are a result of colonialism and voluntary reception. The legal systems either in procedures and substance in civil matters or criminal matters differ from each other. It is required that if two countries with different legal systems, it is difficult to know their laws and regulations in terms of substance and procedures while for two countries of the same legal system, becomes easy to catch up the laws and regulations of that country.

### Required:

- i) As a student of Introduction to Law who has learned those different legal systems, **discuss the legal systems, mention and argue the best legal system.** (8 Marks)
  - ii) As you have analyzed the legal systems, **mention the Rwandan legal system.** (1 Marks)
- (Total: 20 Marks)**

**End of question paper**