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THE OPEN UNIVERSITY OF SRI LANKA

LLB DEGREE PROGRAMME – LEVEL 6

1ST CONTINUOUS ASSESSMENT TEST 2012/2013

LWU4326 – LAW OF DELICT

DURATION: 01 HOUR

DATE: 06th March 2013

TIME: 2.30 p.m. – 3.30 p.m.

Answer the question given below.

Candidates will be penalized for illegible hand writing.

Courts have developed the “test of the reasonable man” to ascertain the standard of duty of care required of the defendant in a particular situation. As Fleming has observed, the reasonable man encompassed “... all the qualities we demand of the good citizen..” (Fleming, John G; The Law of Torts, 6th edition, at P:102)

Critically examine the validity of Fleming’s observation. Support your views with relevant case law.

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