

OBLIGATIONS AND CONTRACTS

Multiple Choice Questions in Obligations and Contracts

1. It is the juridical relation resulting from lawful, voluntary, and unilateral acts by virtue of which the parties become bound to each other to the end that no one shall be unjustly enriched or benefited at the expense of another.

- a. Agreement
- b. Vinculum juris
- c. Contracts
- d. **Quasi-Contracts**

2. This takes place when something is received when there is no right to demand it, and it was unduly delivered thru mistake.

- a. **Solutio Indebiti**
- b. Negotiorum Gestio
- c. Vinculum juris
- d. Prestation

3. This happened when the creditor make a demand and the obligor fails to deliver the thing.

- a. Negligence
- b. **Mora solvendi**
- c. Mora accipiendi
- d. Compensatio morae

4. Demand is not necessary to incur delay when:

- a. Creditor refuses the performance without just cause.
- b. The debtor is guilty of non-performance.
- c. **Time is the controlling motive**
- d. If the obligation bears interest

5. In what instance may we consider that there is no delay?

- a. **In civil obligations**
- b. In positive obligation
- c. In obligation arising from crime
- d. In natural obligation

6. In Accion subrogatoria the creditor may exercise all of the rights and bring all of the actions which the debtor may have against third persons if:

- a. If the account is personal
- b. **The debtor's acts are fraudulent**

c. The debtor has performed an act subsequent to the contract, giving advantage to other persons
d. **Creditor must have the right of return against debtor**

7. In Accion Pauliana Rescission, which involves the right of the creditor to attack or impugn by means of rescissory action any act of the debtor which is in fraud and to the prejudice of his rights as creditor provided:

- a. The debt is due and demandable
- b. There is a failure of the debtor to collect his own debt from 3rd persons either through malice or negligence
- c. The debtor's assets are insufficient
- d. **The debtor has performed an act subsequent to the contract, giving advantage to other persons**

8. It causes the extinguishment or loss of rights already acquired upon the fulfillment of the condition, that is, the happening of the event which constitutes the condition. In other words, the fulfillment of which will extinguish an obligation (or right) already existing.

- a. **Condition subsequent**
- b. Suspensive
- c. facultative condition
- d. positive condition

9. When the thing deteriorates with the debtor's fault, the creditor may choose one of the following:

- a. Mutual restitution
- b. **Rescission (cancellation) of the obligation with indemnity for damages**
- c. Suffer the deterioration of the thing
- d. Institute an action for negligence.

10. It is a future and certain event upon the arrival of which the obligation (or right) subject to it either arises or is terminated.

- a. Fortuitous events
- b. Condition
- c. **Period**
- d. Date and time

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