MISREPRESENTATION
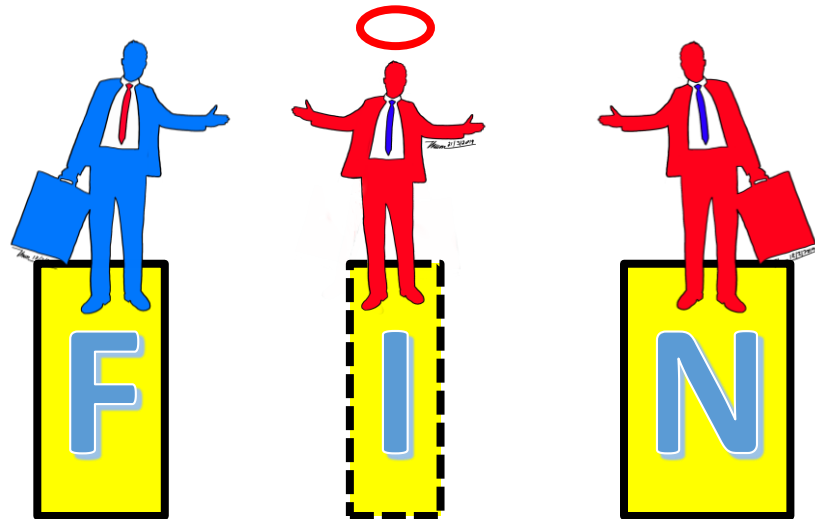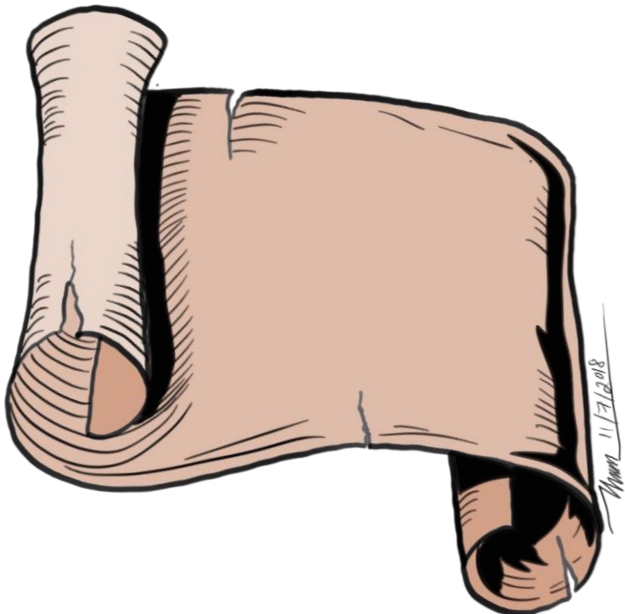
MIS REPRESENTATION

B. **ONE** of the **3** major **TYPES** of **MIS**REPRESENTATION:

a) **F**RAUDULENT misrepresentation

b) **I**NNOCENT misrepresentation

c) **N**EGLIGENT misrepresentation

F I N

MISREPRESENTATION

MIS **REPRESENTATION**

B. **ONE** of the **3** major **TYPES** of **MIS**REPRESENTATION:
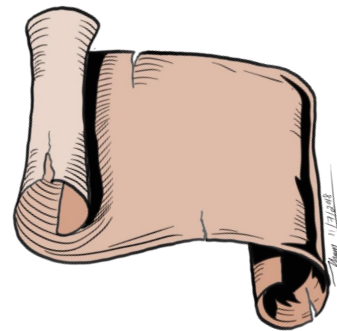
a) **F**RAUDULENT misrepresentation
- x **FALSE STATEMENT** made **KNOWINGLY**
- x **NOT BELIEVING** in its **TRUTH**
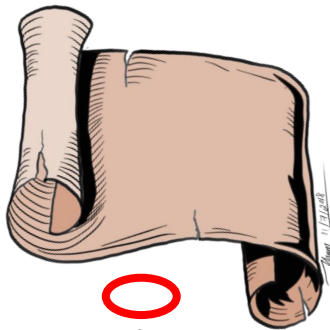- x **RECKLESS** whether **TRUE or NOT**

❑ Relevant case law :
PANATRON V LEE CHEOW LEE

F

APPLY LAW to FACTS

(A)(1) The seller made the **FALSE STATEMENT KNOWING** that *(... product was in fact from.... / of inferior quality)*

MISREPRESENTATION

MIS **REPRESENTATION**

B. **ONE** of the **3** major **TYPES** of **MIS**REPRESENTATION:

b) **INNOCENT** misrepresentation

- × **STATEMENT** made **WITHOUT FRAUD**
- × **WITHOUT FAULT** on the part of the maker
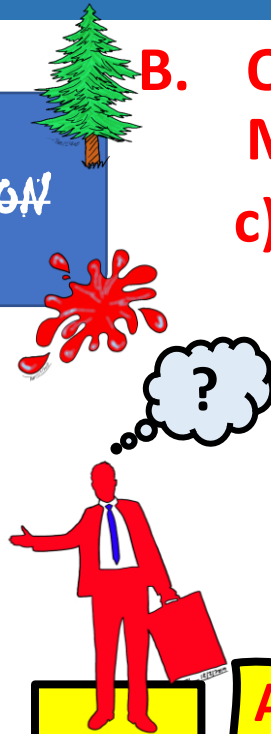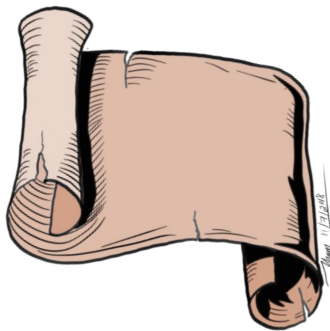- × **REASONABLE GROUNDS** to **BELIEVE** it to be **TRUE.**

APPLY LAW to FACTS

(A)(1) The seller made the **STATEMENT** with **reasonable grounds to believe** (*... the latest product information supplied by the manufacturer*) to be **TRUE.**

MISREPRESENTATION

MIS | REPRESENTATION

B. **ONE** of the **3** major **TYPES** of **MIS**REPRESENTATION:

c) **_N_EGLIGENT** misrepresentation
   - × **STATEMENT made without DUE CARE**
   - × **NO FRAUDULENT INTENTION**
   - × **NO REASONABLE GROUNDS to BELIEVE it to be TRUE**

❑ Relevant case law :
HOWARD MARINE v OGDEN LTD

N

APPLY LAW to FACTS

(A)(1) The seller made the **STATEMENT without due care** *(... based on out-dated product information from manufacturer)*