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University Examinations 2015/2016

SECOND YEAR FIRST SEMESTER EXAMINATION FOR DEGREE OF BACHELOR OF COMPUTER SECURITY AND FORESING CCF 3200: INTRODUCTION TO LAW

DATE: NOVEMBER 2015

TIME: 2 HOURS

INSTRUCTIONS: Answer question *one* and any other *two* questions

QUESTION ONE (30 MARKS)

a) Distinguish between the following terms used in law:

- i. Public law and private law (2Marks)
- ii. Substantive law and procedural law (2Marks)
- iii. Outline any four limitations under which African customary law cannot be applied (4Marks)
- iv. Ratio decidendi obiter dictor (2Marks)

b) Define the term law and give appropriate examples. Explain four sources of law in Kenya (4Marks)

c) Write explanatory notes on the following:

- i. Supremacy of the constitution (5Marks)
- ii. The rule of law (5Marks)

- d) Outline three reasons why parliament finds it necessary to delegate powers of making laws to other persons or bodies. (6Marks)

QUESTION TWO (20 MARKS)

- a) Analyse the six factors involved in the formation of a contract. (12Marks)
- b) Identify the situations in which an agent will be liable to 3rd parties in agency (8Marks)

QUESTION THREE (20 MARKS)

- a) Differentiate between promissory note and a bill of exchange (10Marks)
- b) In any judicial proceeding natural justice must prevail. Analyse four defences available to a defendant in an action for tort. (10Marks)

QUESTION FOUR (20 MARKS)

- a) Explain the role played by the Kenyan law (12Marks)
- b) Outline the structure of the Kenyan courts (8Marks)

QUESTION FIVE (20 MARKS)

- a) Briefly explain the doctrine of caveat emptor. (3Marks)
- b) What do you understand by the term consideration in the law of contract? Explain the governing rules of consideration. (8Marks)
- c) Explain three advantages of arbitration as a form of settling disputes (3Marks)
- d) Contracts of insurance are based on certain principles. Analyse three of such principles (6Marks)