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**JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY SCHOOL OF BUSINESS AND ECONOMICS**

**UNIVERSITY EXAMINATION FOR THE DEGREE OF BACHELOR OF BUSINESS ADMINISTRATION**

**4TH YEAR 2ND SEMESTER 2016/2017 ACADEMIC YEAR**

**CENTRE: MAIN**

**COURSE CODE: ABA 338**

**COURSE TITLE: PROCUREMENT LEGAL FRAMEWORK**

**EXAM VENUE: LAB 1 STREAM: BBA**

**DATE: 14/12/2016 EXAM SESSION: 9.00 – 11.00 AM**

**TIME: 2 HOURS**

**Instructions:**

1. **Answer question 1(compulsory) and ANY other 2 questions.**
2. **Candidates are advised not to write on the question paper.**
3. **Candidates must hand in their answer booklets to the invigilator while in the examination room.**
4. (a) John who is procurement officer with Ministry of Public works, has been assigned the duty of disposing off certain properties own by the Ministry. Advise him on the procedure he should follow in disposing off the assets. (10marks)

(b) All contracts are agreement but all agreement are not contract. Discuss. (10marks)

(c) Mwangi is a business man in Nairobi. He is dealing in buying and selling for second hand cars. What role will insurance play towards is business. (10marks)

1. (a) In sales of goods there must be delivery. That is the goods must move from the seller to the buyer. In the role of law, there must be roles that governs the delivery. Explain

(10marks)

(b) Mary wants to get into a business through agency. She has come to you to give her more information on how this kind of business can be created. What type of information will you give? (10marks)

1. (a) Not all terms of contract carry the same weight. Some are more important than others. Those which are regarded as major terms of contract are known as condition, while those are minor are called warranties. With illustration write on the distinction. (10marks)

(b) Jones is employs by a multi-national company. He is assigned the duty of acquisition and disposal of properties belonging to the company. What are the procedures required in his duty? (10 marks)

1. a) Lien is a where a possessor of property has a claim against its owner. Analyze different types of lien. (10marks)

b) According to the doctrine of caveat emptor, it’s the duty of the buyer to be careful while purchasing goods of his requirement and in the absence of any inquiry form the buyer. Write on the exception to this doctrine. (10marks)

1. Write on the following
2. The right of bailee (5marks)
3. Mistake in contract (5marks)
4. Duress (5marks)
5. Right of resale by the seller. (5marks)