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University Examinations 2013/2014

FIRST YEAR EXAMINATION FOR CERTIFICATE/DIPLOMA IN BUSINESS
ADMINISTRATION AND DIPLOMA IN PURCHASING AND SUPPLIES MANAGEMENT

DBA 1209/HDC 0209: BUSINESS LAW

DATE: APRIL 2014

TIME: 1½ HOURS

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

QUESTION ONE – (30 MARKS)

- a) Describe the following sources of Kenyan laws:
- i. Doctrine of equity (3 marks)
 - ii. Delegated legislation (3 marks)
 - iii. Case law (3 marks)
- b) Explain how laws of incorporation and bankruptcy may affect business operation in your country. (4 marks)
- c) In the law of contract an offer is an expression of willingness to enter into a contract an definite terms. Discuss the circumstances under which an offer will come to an end. (5 marks)
- d) Describe the ways in which ownership of property may be acquired. (6 marks)
- e) Explain how “a sale” differs from “an agreement to sell” in the law of sale of goods. (6 marks)

QUESTION TWO (20 MARKS)

- a) (i) Describe the concept of industrial relations. (4 marks)
- (ii) How is a healthy industrial relations key to progress and success. (8 marks)

- b) There are two approaches to discipline employees. Explain the progressive discipline approach. (8 marks)

QUESTION THREE (20 MARKS)

- a) Statute law mainly refers to the laws made by parliament. Discuss the advantage of statute law. (10 marks)

- b) Explain how criminal law differs from civil law. (10 marks)

QUESTION FOUR (20 MARKS)

- a) An agreement becomes enforceable by law when it fulfils certain conditions. Discuss. (10 marks)

- b) Under what conditions may a contract be terminated. (10 marks)

QUESTION FIVE (20 MARKS)

- a) Using relevant illustrations describe the maxims that are used to explain the real significance of legal damage in the law of tort. (8 marks)

- b) Describe the rights and the duties of an agent in the law of agency. (12 marks)