



# **MERU UNIVERSITY OF SCIENCE AND TECHNOLOGY**

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## **University Examinations 2013/2014**

THIRD YEAR, SECOND SEMESTER EXAMINATION FOR DIPLOMA IN CIVIL  
ENGINEERING

### **ECV 0254: BUILDING LAW AND REGULATION**

**DATE: APRIL 2014**

**TIME: 1 ½ HOURS**

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

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#### **QUESTION ONE – (30 MARKS)**

- (a) Briefly describe the court system in Kenya. (6 Marks)
- (b) Distinguish between a contract and an agreement. (4 Marks)
- (c) Other than the courts, what other avenue(s) exists to settle disputes between building contractors and their clients? Explain citing why this alternative may be preferred by contractors. (5 Marks)
- (d) What does the term ‘capacity’ imply in contracting. Give an example of such capacity in a building contract. (4 Marks)
- (e) What are the requisites that qualify a wrongful act to constitute a tort? (4 Marks)
- (f) List any five particulars that must be included in a written contract of employment. (5 Marks)

#### **QUESTION TWO – (20 MARKS)**

- (a) Explain the essential elements of a contract. (9 Marks)
- (b) Briefly describe the three arms of the Kenya government stating the roles of each as stipulated in the constitution. (6 Marks)

**QUESTION THREE – (20 MARKS)**

- (a) Explain three types of land lease arrangements that parties may enter into in Kenya. (9 Marks)
- (b) Distinguish between free-hold and lease-hold land tenure as used in statutory land ownership in Kenya today. (6 Marks)

**QUESTION FOUR – (20 MARKS)**

- (a) Explain any three ways in which a contract may be discharged. (6 Marks)
- (b) Differentiate between the terms 'slander' and 'libel' as used in the law of tort. (4 Marks)
- (c) What constitutes an 'act of God'. Give two examples. (5 Marks)