

**UNIVERSITY OF KABIANGA**

**UNIVERSITY EXAMINATIONS**

**2014/2015 ACADEMIC YEAR**

**FIRST YEAR SECOND SEMESTER EXAMINATION**

**FOR THE DEGREE OF BACHELOR OF BUSINESS MANAGEMENT**

**COURSE CODE: BBM 109**

**COURSE TITLE: BUSINESS LAW**

**INSTRUCTIONS TO CANDIDATES:**

**ANSWER QUESTION ONE AND ANY OTHER THREE QUESTIONS**

**QUESTION ONE**

1. Explain the doctrine part of performance as given in the law of contract. (8 marks)
2. State the general defenses in respect of the law of torts. (7 marks)
3. When does a seller of goods deemed to be an unpaid seller? What are his/her rights:
4. Against the goods
5. Against the buyer. (5 marks)
6. In accordance with the law of Agency, list and explain any FIVE types of agents. (5 marks)

**QUESTION TWO**

1. Define the term ‘partnership’ and discuss the ways in which a partnership can be dissolved. (8 marks)
2. Name and explain any **FOUR** implied terms of Hire-purchase agreements. (7 marks)

**QUESTION THREE**

1. In relation to the Law of Insurance, explain the meaning of the following principles: (8 marks)
2. Uberrimae fidei
3. Insurable interest
4. Causa proxima
5. State and explain any **FIVE** types of bills of exchange. (7 marks)

**QUESTION FOUR**

1. “Law is defined as the body of principles recognized and applied by the state in the administration of justice.” In relation to this, briefly describe **FIVE** characteristics of the law of state. (7 marks)
2. Briefly explain the following constitutional concepts; (8 marks)
3. Rule of law
4. Doctrine of separation of power
5. Supremacy of the constitution

**QUESTION FIVE**

1. “Sources of law is that which may be pointed out as forming the basis of law.” In light of this, name and explain **FIVE** sources of law in Kenya. (6 marks)
2. Pursuant to the law of persons, explain the difference between: (9 marks)
3. Incorporated and unincorporated association
4. A corporation sole and a corporation aggregate
5. A partnership and a limited company

**QUESTION SIX**

1. Pursuant to Kenya Citizenship Act (Cap. 170), describe **TWO** ways in which citizenship may be lost. (5 marks)
2. Describe composition and any **THREE** functions of the following constitutional offices in the republic of Kenya. (10 marks)
3. Judicial Service Commission
4. Attorney General
5. Law Society of Kenya.