



**TECHNICAL UNIVERSITY OF MOMBASA**  
***Faculty of Business & Social Studies***

DEPARTMENT OF HOSPITALITY & TOURISM

DIPLOMA IN HOTEL AND INSTITUTIONAL MANAGEMENT  
(DHIM M13)

**BHC 2303: HOTEL AND CATERING LAW**

END OF SEMESTER EXAMINATIONS

**SERIES:** APRIL 2015

**TIME:** 2 HOURS

**INSTRUCTIONS:**

- This paper consists of Sections **A** and **B**.
- Section **A** is **Compulsory**. Answer any **TWO** questions in Section **B**.
- Mobile phones are not allowed into the examination room.
- Cheating leads to disqualification.
- *This paper consists of Three printed pages.*

## SECTION A (Compulsory) 30 Marks

### QUESTION 1

- a) Define the following terms as used in hotel and catering law: **(10 marks)**
- i) Inn
  - ii) Contract
  - iii) Tort
  - iv) Litigation
  - v) Offer
- b) A group of businessmen are planning to form a company. However, they are in fear of some limitations that such a business enterprise may expose them to. Explain some of these limitations. **(10 marks)**
- c) Briefly discuss the Kenyan Judicial System highlighting the different courts and their rates. **(10 marks)**

## SECTION B (Answer any TWO questions) 40 Marks

### QUESTION 2

- a) Briefly discuss the **TWO** options hotels have as a means of acquiring premises highlighting advantages for each. **(10 marks)**
- b) A landlord may decline to grant a new tenancy to a tenant. Explain **FIVE** grounds that may result to this. **(10 marks)**

### QUESTION 3

- a) Explain the rights of an employee as constituted in the Kenya Employment Act. **(10 marks)**
- b) Hotel employees play an important role in the operations of all hospitality businesses. Explain the legal duties that hotel employers owe to their employees to protect them. **(10 marks)**

### QUESTION 4

- a) Briefly explain the rights of an innkeeper. **(10 marks)**
- b) Explain the restrictions on the liability of premises under the following: **(10 marks)**
- i) Warning notices
  - ii) Liability to children
  - iii) Contributory negligence

## QUESTION 5

- a) Highlight **TEN** hotel and restaurant regulations as stipulated in the Public Health Act. **(10 marks)**
- b) Explain the advantages of arbitration over litigation as ways of settling court disputes. **(10 marks)**