



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF BUSINESS STUDIES

CERTIFICATE IN HUMAN RESOURCE MANAGEMENT
CERTIFICATE IN BUSINESS MANAGEMENT
CERTIFICATE IN STORES MANAGEMENT

BMG 1101: ELEMENTS OF LAW

END OF SEMESTER EXAMINATIONS

SERIES: APRIL 2015

TIME: 2 HOURS

INSTRUCTIONS:

- This paper consists of **FIVE** questions.
- Answer question **ONE (Compulsory)** and any other **TWO** questions.
- Do not write on the question paper

This paper consists of Two printed pages.

QUESTION 1 (Compulsory)

- a) i) Briefly explain **THREE** ways in which law differs from mere rules. (6 marks)
ii) Outline the importance of the Judicature Act 3, (Cap 8) 1967. (2 marks)
- b) i) Define the law of persons (2 marks)
ii) Briefly explain **THREE** ways in which a juristic person may be formed. (6 marks)
- c) i) Identify **TWO** differences between torts and crimes. (4 marks)
ii) Briefly explain the meaning of each of the following:
1. Contracts under seal (3 marks)
2. Contracts of record (3 marks)
- d) Identify **FOUR** types of companies. (4 marks)

QUESTION 2

- a) Differentiate between the following:
i) Original legislation and subordinate legislation. (4 marks)
ii) Principal sources of law and subsidiary sources of law. (4 marks)
- b) Explain **SIX** characteristics of common law. (12 marks)

QUESTION 3

- a) Outline **SIX** features of a corporation. (12 marks)
- b) Explain **FOUR** elements of partnership. (8 marks)

QUESTION 4

- a) Differentiate between contracts and torts. (8 marks)
- b) Outline **SIX** defenses available for a person accused of committing a tort. (12 marks)

QUESTION 5

- a) Explain the elements of a contract. (12 marks)
- b) Give **FOUR** advantages of a registered company with limited liability. (8 marks)