



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF BUSINESS STUDIES

DIPLOMA IN PROCUREMENT AND MATERIALS MANAGEMENT
DIPLOMA IN TRANSPORT AND LOGISTICS MANAGEMENT
DIPLOMA IN HUMAN RESOURCE MANAGEMENT
DIPLOMA IN BUSINESS MANAGEMENT

BMG 2101: BUSINESS LAW I

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) Explain **FIVE** circumstances under which a judge may refrain from a binding precedent. **(10 marks)**
- b) Explain the extent to which common law and equity are sources of law in Kenya. **(10 marks)**
- c) What is meant by a holder in due course? **(10 marks)**

QUESTION 2

- a) Explain the various short comings of common law as a source of law. **(10 marks)**
- b) Explain the various ways which Agency can be terminated by an operation of law. **(10 marks)**

QUESTION 3

- a) What is nuisance? Explain its various defenses. **(10 marks)**
- b) Explain the various **FIVE** classifications of our laws in Kenya. **(10 marks)**

QUESTION 4

- a) Explain the various types of judicial precedents. **(10 marks)**
- b) Explain the various remedies for a breach of a contract. **(10 marks)**

QUESTION 5

- a) What is privity of a contract? Explain any **FOUR** exemptions of it. **(10 marks)**
- b) Explain any **FIVE** sources of law as provided by the Judicature Act of Kenya. **(10 marks)**