



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

DEPARTMENT OF BUSINESS ADMINISTRATION

UNIVERSITY EXAMINATION FOR

CERTIFICATE IN BUSINESS MANAGEMENT AND CERTIFICATE IN HUMAN RESOURCE MANAGEMENT

BMG 1101: ELEMENTS OF LAW

END OF SEMESTER EXAMINATION

SERIES:FIRST SEMESTER YEAR ONE

TIME:2HOURS

DATE:MAY 2016

Instructions to Candidates

You should have the following for this examination

-Answer Booklet, examination pass and student ID

This paper consists of FIVE Questions. Attempt **QUESTION ONE** and any other TWO.

Do not write on the question paper.

QUESTION ONE ...Compulsory

- | | | |
|----------|--|----------|
| a | Define a contract | 3 marks |
| b | What are the essential requirements of a valid contract?15 marks | |
| c | What is meant by Jurisdiction? | 2 marks |
| d | Draw the hierarchy of Kenyan courts. | 10 marks |

QUESTION TWO

- | | | |
|----------|---------------------|---------|
| a | What is defamation? | 4 marks |
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- b Distinguish between Libel and Slander 8 marks
- c List four requirements in proving a defamatory statement. 8 marks

QUESTION THREE

- a What are the limitations of African customary law as a source of law? 14 marks
- b distinguish the different types of Bills or proposed acts of parliament. 6 marks

QUESTION FOUR

- a List the rules pertaining to offer and those for acceptance . 14 marks
- b Distinguish between assault, battery and false imprisonment 6 marks

QUESTION FIVE

Write brief explanatory notes on:

- a Consideration 5 marks
- b Nuisance 5 marks
- c Vicarious liability 5 marks
- d Negligence 5 marks