



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

DEPARTMENT OF BUSINESS ADMINISTRATION

UNIVERSITY EXAMINATION FOR:

DIPLOMA IN BUSINESS ADMINISTRATION

BMG2211: COMMERCIAL AND ADMINISTRATIVE LAW

END OF SEMESTER EXAMINATION

SERIES: DECEMBER 2016

TIME: 2 HOURS

DATE: DECEMBER 2016

Instructions to Candidates

You should have the following for this examination

-Answer Booklet, examination pass and student ID

This paper consists of **FIVE** Question(s). Attempt question ONE (Compulsory) and any other TWO questions.

SECTION A

QUESTION 1

- (a) State and explain the main implied conditions and warranties in the sale of goods. (10 marks)
- (b) Define partnership. What are the main distinctions between partnership and a limited company under Kenya law? (10 marks)
- (c) Distinguish between a contract of guarantee and a contract of indemnity (10marks)

SECTION B

QUESTION 2

- (a) Discuss **FIVE** main kinds of insurance. (10 marks)
- (b) Explain the requirements of a hire- purchase agreements. (10 marks)

QUESTION 3

- (a) Explain the objects of bankruptcy and state the ground under which one may be adjudged bankrupt. (10 marks)
- (b) Define “bailment” and state the general duties of a bailee and bailor (10 marks)

QUESTION 4

What does the maxim ‘nemo dat quod non habet’ mean? Discuss the exceptions to the rule. (20 marks)

QUESTION 5

- (a) Explain the basic insurance principles. (10marks)
- (b) State and explain the rights of unpaid seller. (10 marks)