

TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

DEPARTMENT OF BUSINESS ADMINISTRATION

END OF SEMESTER EXAMINATION

BMG 2211 COMMERCIAL AND ADMINISTRATIVE LAW

APRIL 2016 SERIES

TIME: 2 HOURS

INSTRUCTIONS

Answer Question one which is **compulsory** and any other two question

1. a) The award is taken as final and binding on the parties, but the high court may remit any matter back to the arbitrators for reconsideration. Explain the grounds for remission (10 mks)
b) Explain the rules that determine when property passes from the seller to the buyer (10 mks)
c) What is a bill of lading? Explain its distinctive features (10 mks)
2. a) Explain any five characteristics of insurance (10 mks)
b) Explain how a bill of exchange may be discharged (10 mks)
2. a) Explain the circumstance under which a guarantor may be discharged (10 mks)
b) What is Caveat Emptor explain its exceptions (10 mks)
4. a) Before any proceedings in Bankruptcy can be taken against a person he must have committed an act of Bankruptcy. State any five acts of bankruptcy (10 mks)
b) What is arbitration? Explain the ways in which a dispute may be referred to arbitration (10 mks)
5. a) Explain the dissolution of partnership by operation of law (10 mks)
b) State five clauses which may be contained in a charter party. (10 mks)