



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF HOSPITALITY & TOURISM

UNIVERSITY EXAMINATION FOR:

DIPLOMA IN HOTEL AND INSTITUTIONAL MANAGEMENT

BHC 2303: HOTEL AND CATERING LAW

END OF SEMESTER EXAMINATION

SERIES: MAY 2016

TIME: 2 HOURS

DATE: Pick 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 Choose instruction.

Do not write on the question paper.

SECTION A (Answer ALL the questions)

30 POINTS

INSTRUCTIONS: *Answer all questions in section A (COMPULSORY) and any other TWO questions in section B.*

SECTION A (COMPULSORY) 30 MARKS

QUESTION 1

- Give TEN circumstances that may lead to termination of a legal contract. (10 mrks)
- A group of 25 university graduates are planning to form a business. Advise them on the most appropriate form of business enterprise to start highlighting TEN of its features. (10 mrks)
- Explain FIVE circumstances that may lead to a landlord lawfully declining to renew tenancy for his tenants. (10 mrks)

SECTION B (Answer any TWO questions) 40 mrks

QUESTION 2

- a) Explain TEN implications on a business that may result from non-compliance to the legal requirements in hospitality industry. (10 mrks)
- b) Explain TEN rights of an employee as per the Kenyan Employment Act. (10 mrks)

QUESTION 3

- a) Outline TEN key issues that are important to be captured in a partnership deed. (10 mrks)
- b) Explain TEN public health legal requirements that should be met by hoteliers as occupiers of premises liability. (10 mrks)

QUESTION 4

- a) Discuss FIVE sources from which laws in Kenya may be drawn. (10 mrks)
- b) Mr. Kongwea on his holiday trip sought accommodation from Pondaraha hotel but the hotel management declined to offer the same. Suggest TEN legal reasons that may have led to this. (10 mrks)

QUESTION 5

Discuss the SIX essential elements of a legal contract.