



# TECHNICAL UNIVERSITY OF MOMBASA

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SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

SOCIAL SCIENCES

## UNIVERSITY EXAMINATION FOR: BACHELOR OF SCIENCE IN DEVELOPMENT STUDIES

BSDS Y2S2

BDS4205: LEGAL APECTS IN SOCIAL WORK

**SERIES: APRIL 2016**

**TIME: 2 HOURS**

**DATE: 11 May 2016**

### Instructions to Candidates

You should have the following for this examination

-Answer Booklet, examination pass and student ID

This paper consists of Choose No questions. Attempt Choose instruction.

**Do not write on the question paper.**

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### Question ONE

(a) Under the law of agency define the following terms:

- (i) Agent (2 marks)
- (ii) Agency (2 marks)
- (iii) State and discuss FOUR ways in which an agency relationship may be created. (12 marks)

(b) (i) Describe the concept of privity of contract (4 marks)

(c) Outline the exceptions to the doctrine of privity of contract (10 marks)

### Question TWO

(a) What is meant by legal personality? (2 marks)

Examine the concept of “legal personality” and describe the various kinds of corporations, giving examples of each (10 marks)

(b) Distinguish between a partnership and a limited liability company. (8 marks)

### **Question THREE**

(a) Explain the nature and classification of law (10 marks)

(b) State the rules applied by a court of law in the interpretation of statutes (10 marks)

### **Question FOUR**

(a) In the law of negotiable instruments describe the various types of a bill of exchange (10 marks)

(b) Write short notes on

(i) Holder in due course (5 marks)

(ii) Qualified acceptance of a bill (5 marks)

### **Question FIVE**

(a) Discuss :

(i) The elements of the tort of negligence (5 marks)

(ii) The doctrine of ‘res ipsa loquitor’ (5 marks)

(b) Discuss the general defences in respect of torts (10 marks)