



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF HUMANITIES AND SOCIAL SCIENCES

DEPARTMENT OF SOCIAL SCIENCES

UNIVERSITY EXAMINATION FOR:

BACHELOR OF SOCIAL AND DEVELOPMENT STUDIES

BDS 4205: LEGAL ASPECTS IN SOCIAL WORK

END OF SEMESTER EXAMINATION

SERIES: DECEMBER 2016

TIME: 2 HOURS

DATE:

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 (Compulsory) and any other TWO questions.

Do not write on the question paper.

SECTION A

Question ONE

- (a) (i) Define partnership. (2 marks)
- (ii) Distinguish between a partnership and a limited liability company. (8 marks)
- (b) 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)
- (c) Describe the concept of privity of contract (4 marks)

SECTION B

Question TWO

- (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 THREE

- (a) Discuss the general defences in respect of torts (10 marks)
- (b) Discuss :
- (i) The elements of the tort of negligence (5 marks)
 - (ii) The doctrine of 'res ipsa loquitor' (5 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) 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 (8 marks)
- (c) Outline the ways in which a contract may come to an end. (10 marks)