



TECHNICAL UNIVERSITY OF MOMBASA

FACULTY OF ENGINEERING AND TECHNOLOGY

DEPARTMENT OF ARCHITECTURE & BUILT ENVIRONMENT

UNIVERSITY EXAMINATION FOR:

DIPLOMA OF QUANTITY SURVEYING

EQS 2203: CONSTRUCTION LAW I

SPECIAL/SUPPLEMENTARY EXAMINATION

SERIES: SEPTEMBER 2018

TIME: 2 HOURS

DATE: Pick Date Sep 2018

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.

Question One:

- a) Explain the legal concept of land (4 marks)
- b) It has been said that the land law in Kenya is a long and complicated subject. State three reasons why. (9 marks)
- c) Distinguish the following terms relating to land: easements, profit and restrictive covenants. (9 marks)
- d) Distinguish between common law and equity. (8 marks)

Question Two:

State and briefly explain any five sources of the Laws of Kenya (15 marks)

Question Three:

- a) Briefly explain the following terms as relates to the land rights at common law: estates, servitudes and encumbrances (6 marks)
- b) Differentiate between the criminal law and civil law. (9 marks)

Question Four:

Explain the following terms: tort, negligence, nuisance, defamation and trespass as they relate to the law of tort. (15 marks)

Question Five:

There are two situations where liability in tort may be imposed even though the defendant is not at fault. Explain. (15 marks)