



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF BUSINESS

Department of Management Science

DEPARTMENT OF BUSINESS STUDIES

END OF SEMESTER EXAMS FOR BACHELOR OF COMMERCE & BACHELOR OF BUSINESS
ADMINISTRATION

BPC 4303: PROCUREMENT LEGAL FRAMEWORK

CLASS: BCOM YEAR THREE SEMESTER TWO

BBA YEAR THREE SEMESTER ONE

AUGUST 2019

TIME: 2 HOURS

INSTRUCTIONS:

- Answer question **ONE (Compulsory)** and any other **TWO** questions.
- Marks are allocated and the end of each question

This paper consists of THREE printed pages.

QUESTION ONE (30 MARKS)

- (a) Yusra who is procurement officer with State Department of Public Works, has been assigned the duty of disposing off certain properties own by the Department. Advise her on the procedure he should follow in disposing off the assets. (10marks)
- (b) All contracts are agreement but all agreement are not contract. Discuss. (10marks)
- (c) Kimani is a business man in Nairobi. He is dealing in buying and selling for second hand cars. What role will insurance play towards is business. (10marks)

QUESTION TWO (20 MARKS)

- (a) In sales of goods there must be delivery. That is the goods must move from the seller to the buyer. In the role of law, there must be roles that governs the delivery. Explain (10marks)
- (b) Mary wants to get into a business through agency. She has come to you to give her more information on how this kind of business can be created. What type of information will you give? (10marks)

QUESTION THREE (20 MARKS)

- (a) Not all terms of contract carry the same weight. Some are more important than others. Those which are regarded as major terms of contract are known as condition, while those are minor are called warranties. With illustration write on the distinction. (10marks)
- (b) Jones is employs by a multi-national company. He is assigned the duty of acquisition and disposal of properties belonging to the company. What are the procedures required in his duty? (10 marks)

QUESTION FOUR (20 MARKS)

- a) Lien is a where a possessor of property has a claim against its owner. Analyze different types of lien. (10marks)
- b) According to the doctrine of caveat emptor, it's the duty of the buyer to be careful while purchasing goods of his requirement and in the absence of any inquiry form the buyer. Write on the exception to this doctrine. (10marks)

QUESTION FIVE (20 MARKS)

Write on the following

- a) The right of Bailee (5marks)
- b) Mistake in contract (5marks)
- c) Duress (5marks)
- d) Right of resale by the seller. (5marks)

“WISHING YOU THE BEST OF LUCK”