



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF HOSPITALITY & TOURISM

DIPLOMA IN HOTEL & INSTITUTIONAL MANAGEMENT
(DHIM M12/S12)

BHC 2303: HOTEL AND CATERING LAW

END OF SEMESTER EXAMINATIONS

SERIES: APRIL 2014

TIME: 2 HOURS

INSTRUCTIONS:

- This paper consists of Sections **A** and **B**.
- Section **A** is **Compulsory**. Answer any **TWO** questions in Section **B**.
- Mobile phones are not allowed into the examination room.
- Cheating leads to disqualification.
- ***This paper consists of Two printed pages.***

SECTION A (Compulsory) 30 Marks

QUESTION 1

- a) Define the following terms as used in Catering Law. (10 marks)
- i) Offer
 - ii) Arbitration
 - iii) Litigation
 - iv) Dispute
 - v) Tort
- b) Describe the Kenyan Court structure outlining the roles under each one of the different levels. (10 marks)
- c) Explain the **FIVE** main sources of law in Kenya. (10 marks)

SECTION B (Answer any TWO questions) 40 Marks

QUESTION 2

- a) A trade union is very important in protecting the rights of employees. Explain **FIVE** rights that are enjoyed by trade union members. (10 marks)
- b) Outline **FIVE** statutory obligations that Trade Unions have. (10 marks)

QUESTION 3

- a) Explain **TEN** responsibilities of an employer according to the Employment Act of Kenya. (10 marks)
- b) Not all employees are entitled to make a claim for unfair dismissal. Highlight **FOUR** grounds that may bar an employee from such claims. (10 marks)

QUESTION 4

- a) Explain the **FIVE** essential elements of a contract. (10 marks)
- b) Outline different circumstances that may lead to the termination of a contract. (10 marks)

QUESTION 5

- a) Highlight **SEVEN** functions of safety representatives. (10 marks)
- b) In relation to the obligations of occupiers of property, briefly explain the following:
- i) First AID
 - ii) Public Health
 - iii) Fire safety
 - iv) Insurance
- (10 marks)