



TECHNICAL UNIVERSITY OF MOMBASA

SCHOOL OF ENGINEERING AND TECHNOLOGY
DEPARTMENT OF ARCHITECTURE & BUILT ENVIRONMENT

UNIVERSITY EXAMINATION FOR:
DIPLOMA IN QUANTITY SURVEYING

EQS 2203: CONSTRUCTION LAW I
SPECIAL/SUPPLEMENTARY EXAMINATION

YEAR 1 SEMESTER 2

SERIES: MAR 2025

TIME: 2 HOURS

DATE: MAR 2025

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 - COMPULSORY

(30 marks)

- a) Explain FIVE reasons for having laws in the construction industry in Kenya. (10 marks)
- b) Explain the following forms of land ownership:
 - i. Sole ownership (5 marks)
 - ii. Concurrent ownership (5 marks)

- iii. Joint Tenancy (5 marks)
- c) Identify any FIVE Acts of Parliament that regulate the construction industry in Kenya. (5 marks)

QUESTION TWO (15 marks)

- a) Distinguish between “freehold estate” and “leasehold estate” in land. (4 marks)
- b) Discuss FIVE remedies against a defaulting borrower who had committed to a charge or a mortgage using their land as a security for the repayment. (11 marks)

QUESTION THREE (15 marks)

Explain the following types of laws:

- a) Company law (5 marks)
- b) Law of Succession (5 marks)
- c) Common law (5 marks)

QUESTION FOUR (15 marks)

Explain the following types of torts:

- a) Trespass (5 marks)
- b) Defamation (5 marks)
- c) Negligence (5 marks)

QUESTION FIVE (15 marks)

- a) Explain SIX sources of law in Kenya. (12 marks)
- b) Describe the doctrine of “separation of powers” as provided by the 2010 Kenya Constitution in the structure of the government. (3 marks)