



TECHNICAL UNIVERSITY OF MOMBASA

School of Business

Department of Business Administration

UNIVERSITY EXAMINATION FOR:
BACHELOR OF BUSINESS ADMINISTRATION
BMG 4303: COMPANY LAW
END-OF-SEMESTER EXAMINATION
SERIES: DECEMBER 2024

TIME: 2 HOURS

DATE: Pick Date Dec 2024

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) A start-up company has failed to register its business with the relevant authorities. Explain **FIVE** legal requirements they might have overlooked. (10 marks)
- b) Explain **FIVE** consequences of failure to appoint auditors as the law requires. (10 marks)
- c) Explain **FIVE** differences between special and ordinary resolution. (10 marks)

Question TWO

- a) Explain **FIVE** instances under common law where the veil of incorporation may be lifted. (10 marks)
- b) Explain any **FIVE** rules relating to the naming of companies. (10 marks)

Question THREE

- a) Winding up and liquidation are closely related but distinct processes in the context of company dissolution. Explain. (10 marks)
- b) Explain **FIVE** special features of a company that distinguishes it from other business organizations. (10 marks)

Question FOUR

- a) Explain **FIVE** distinctions between a company limited by shares and a company limited by guarantee. (10 marks)
- b) “The concept of quorum in company meetings is significant as specified in the Company Act”. Explain **FIVE** reasons to justify that statement. (10 marks)

Question FIVE

- a) With reference to company law, explain the meaning of the doctrine of separate legal personality. (10 marks)
- b) Explain any **FIVE** issues that the board of Directors deals with soon after incorporation of a company. (10 marks)