



TECHNICAL UNIVERSITY OF MOMBASA

School of Humanities and Social Sciences

Department of HOSPITALITY & Tourism MANAGEMENT

UNIVERSITY EXAMINATION FOR THE DEGREE OF: BACHELOR OF SCIENCE IN TOURISM MANAGEMENT (BSTM A21)

HHT 4411: TOURISM LAW

END OF SEMESTER EXAMINATION

SERIES: APRIL 2025

TIME: 2HOURS

DATE: *Pick Date* Apr 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.

SECTION A (Answer all the questions)

30 POINTS

QUESTION ONE

You are running a business as a start-up which you started after completing your studies and graduating with a degree in Tourism. You started the business with your cousin Patrick who contributed part of the capital you started with in the business. You applied to the Registrar of Business Names to do business as, Super Tourism Services. The business involves marketing the services of tourist facilities such as beach hotels, villas and lodges. The manager of New Star Beach Hotel, Ms. Khaiana, who has worked with the several hotels before this one but was first time appointed by New Star as the general manager in 2023, has permitted you to book clients and pay the money into a pay bill provided in the name of New Star Beach Hotel Ltd. On 15th February 2025, you booked international guests from Poland and promptly deposited the money they paid as was required by your contract with the hotel.

- (a) (i) Identify the legal relationship between Super Tourism Services and the guests from Poland. (2 marks)
- (ii) What is the legal relationship between the hotel and Ms. Khaiana? (2 marks)
- (iii) Explain **THREE** features of the legal relationship between Ms. Khaiana and New Star Hotel Ltd. (6 marks)
- (b) (i) Identify the type of business structure of Super Tourism Services. (2 mark)
- (ii) Outline **FOUR** elements of this form of business structure. (8 marks)
- (c) Tourism activities are strictly regulated by legal rules. Explain the **FIVE** sources of the legal rules applied in the sector. (10 marks)

SECTION B (Answer only TWO questions)

QUESTION TWO

- (a) The Tourism Regulatory Authority was established under the terms of the Tourism Act 28, 2011. Explain **FIVE** functions of the Authority as stipulated in section 7(1) of the Act. (10 marks)
- (b) (i) What is a tortious offense? (2 marks)
- (ii) Explain **FOUR** differences between torts and crimes (8 marks)

QUESTION THREE

- (a) Outline **FIVE** requirements for a valid consideration in contracts made by tourism businesses. (10 marks)
- (b) Explain **FIVE** main functions of the judiciary in Kenya. (10 marks)

QUESTION FOUR

- (a) Outline **FIVE** functions of labor law in tourism industry. (10 marks)
- (b) (i) Outline the establishment of the Tourism Tribunal. (2 marks)
- (ii) Explain **FOUR** jurisdictions of the Tourism Tribunal. (8 marks)

QUESTION FIVE

(a) Explain **FIVE** ways in which property may be acquired lawfully. (10 marks)

(b) Explain **FIVE** grounds for the suspension of a license to carry on a tourism business. (10 marks)