



# TECHNICAL UNIVERSITY OF MOMBASA

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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: JULY 2025**

**TIME: 2HOURS**

**DATE:** Pick Date Jul 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.**

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### SECTION A (Answer all the questions)

**30 POINTS**

#### QUESTION ONE

- (a) Explain five the requirements for the registration of a tourism facility by the License Committee of the Tourism Regulatory Authority. (10 marks)
- (b) The Occupiers Liability Act Cap 34 provides that an occupier of premises owes the same duty of care to all visitors. Discuss five ordinary duties of an occupier under the common law. (10 marks)
- (c) Explain five functions of law. (10 marks)

### SECTION B (Answer only TWO questions)

## **QUESTION TWO**

- (a) Explain **FIVE** grounds for the suspension of a license to carry on a tourism business. (10 marks)
- (a) Explain five advantages of regulating tourism by legislative law. (10 marks)

## **QUESTION THREE**

- (a) (i) Explain the concept of 'corporate veil'. (2 marks)
- (ii) Explain four circumstances where the corporate veil may be ignored by a court. (8 marks)
- (b) Explain four ways in which a contract may be discharged by agreement. (8 marks)

## **QUESTION FOUR**

- (a) (i) Distinguish between an employee and an independent contractor. (2 marks)
- (ii) Highlight four characteristics a contract of an independent contractor. (10 marks)
- (b) Explain five general jurisdictions of our courts of law. (10 marks)

## **QUESTION FIVE**

- (a) Explain five ways of making an agency. (10 marks)
- (b) Outline five advantages of delegated legislation. (10 marks)