



TECHNICAL UNIVERSITY OF MOMBASA
Faculty of Business & Social Studies

DEPARTMENT OF HOSPITALITY & TOURISM

DIPLOMA IN TOURISM MANAGEMENT
(DTM M11)

BHT 2303: LEGAL ASPECTS IN TOURISM

END OF SEMESTER EXAMINATIONS

SERIES: APRIL 2013

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 Three printed pages.***

SECTION A (Compulsory) 30 Marks

QUESTION 1

- a) State **FIVE** sources of law. (5 marks)
- b) Explain what is meant by “breach of contract”. (4 marks)
- c) Explain the following terms as used in legal practice:
- i) Tort
 - ii) Bench
 - iii) Trespass
 - iv) Tourism law
 - v) Constitution (10 marks)
- d) Identify **FIVE** Acts in the laws of Kenya that govern issues affecting travel and tour operation activities. (5 marks)
- e) Name **THREE** superior and **THREE** sub-ordinate courts in the Kenyan legal system. (6 marks)

SECTION B (Answer any TWO questions) 40 Marks

QUESTION 2

- a) Briefly describe any **FIVE** provisions in the Tourism Act of 2011 of the Laws of Kenya. (15 marks)
- b) Identify **FIVE** forms of disputes that may arise as a result of breach of rights, privileges and obligations of stakeholders in the tourism industry. (5 marks)

QUESTION 3

- a) Describe the following types of laws:
- i) Private law
 - ii) Criminal law
 - iii) Civil law
 - iv) International law
 - v) Customary law (15 marks)
- b) State **FIVE** ways in which law is important to the tourism industry. (5 marks)

QUESTION 4

- a) Explain **FOUR** types of contracts. **(8 marks)**
- b) Identify **FOUR** types of travel insurance policies available for tourists. **(4 marks)**
- c) Differentiate between:
 - i) Morality and ethics
 - ii) Privilege and obligation **(8 marks)**

QUESTION 5

- a) Discuss the concept of legal personality as related to business corporations. **(14 marks)**
- b) List **SIX** areas of tourism and hospitality operations in which international law is applicable. **(6 marks)**