



TECHNICAL UNIVERSITY OF MOMBASA

Faculty of Business & Social Studies

DEPARTMENT OF LIBERAL STUDIES & COMMUNITY DEVELOPMENT

**DIPLOMA IN COMMUNITY DEVELOPMENT AND COUNSELING
(DCDC SEPT 11 Y3 S2)**

BCD 2306 : LEGAL ISSUES AND ADVOCACY

SPECIAL/SUPPLEMENTARY EXAMINATIONS

SERIES: JULY, 2014

TIME: 2 HOURS

INSTRUCTIONS TO CANDIDATES:

- Answer question **ONE** and any other **TWO**
- This paper consists of **2 printed** pages

QUESTION 1 (COMPULSORY)

(a) What conditions must an African custom satisfy before it is recognized as a source of law in Kenya. (10 marks)

(b) Discuss **FOUR** essentials of a valid contract (10 marks)

(c) Distinguish between civil and criminal law. (10 marks)

QUESTION 2

(a) Explain how an otherwise a valid contract may be vitiated. (10 marks)

(b) Discuss any **FOUR** defenses available to a person sued for a tortious action (10 marks)

QUESTION 3

(a) Explain **TWO** types of succession.

(b) Discuss how intestate succession takes place in the following cases.

(i) Where a deceased is survived by a spouse without children.

(ii) Where a deceased is survived by more than one heir.

QUESTION 4

(a) Distinguish between a company and a partnership. (10 marks)

(b) Explain how agency relationship may be created. (10 marks)

QUESTION 5

Write short notes on the following:

(a) Purposes of law in society (10 marks)

(b) Discharge of a negotiable instrument. (10 marks)