



**JARAMOGI OGINGA ODINGA
AND TECHNOLOGY SCHOOL OF**

**UNIVERSITY OF SCIENCE
BUSINESS AND ECONOMICS**

UNIVERSITY EXAMINATION FOR DEGREE OF BACHELOR OF BUSINESS

ADMINISTRATION

4th YEAR 2nd SEMESTER 2016/2017 ACADEMIC YEAR

KISII CAMPUS

COURSE CODE: ABA 444

COURSE TITLE: CONTRACTS AND DISPUTE MANAGEMENT

EXAM VENUE: LR _____

STREAM: (BBA) WITH I.T.

DATE: _____

EXAM SESSION: _____

TIME: 2.00 HOURS

Instructions:

1. Answer question **ONE** (compulsory) and **ANY** other **TWO** questions
2. Candidates are advised not to write on the question paper.
3. Candidates must hand in their answer booklets to the invigilator while in the examination room.

QUESTION ONE (30MKS)

a) In relation to contracts and dispute management, write short and concise notes on the following;

i) Quasi contracts

(2 marks)

- ii) Void and voidable contracts (3 marks)
- iii) Offer and invitation to treat (3 marks)
- iv) Executed and executory contracts (3 marks)
- v) Unitary, Bilateral and multilateral contracts (3 marks)
- b) (i) Define arbitration in your own words (2 marks)
- (ii) Explain the advantages of arbitration over the litigation process for the business people. (4 marks)
- c) Outline the disadvantages of arbitration (4 marks)
- d) Discuss and explain the essentials of a valid contract (6 marks)

QUESTION TWO (20MKS)

- a) Explain the main types of contractual agreements made between customers and suppliers (7 marks)
- b) Analyze the applications of commercial negotiations in the work of procurement and supply (7 mark)
- c) Discuss the conditions and warranties which are applied in a contract of sale of goods by the sale of goods ACT cap 31 LoK (6 marks)

QUESTION THREE (20MKS)

- a) Explain the documentations that can comprise a commercial agreement for the supply of goods and services. (6 marks)
- b) Assess the legal issues that relate to the creation of commercial agreements with customers or suppliers (7 marks)
- c) Outline various strategies of dispute management in relation to contracts and dispute management (7marks)

QUESTION FOUR (20MKS)

- a) Explain the main variables that can be used in a commercial negotiation (10 marks)
- b) Define a contract and discuss various ways on how a contract can be terminated. Illustrate each mode of discharge by decided cases or examples. (10 marks)

QUESTION FIVE (20MKS)

- d) Explain the stages of a commercial negotiation (7 marks)

- e) Explain the economic factors that impact on commercial negotiation (7 marks)
- f) Discuss the sources of conflict in contract management and resolution (6 marks)