



JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY SCHOOL OF
BUSINESS AND ECONOMICS UNIVERSITY EXAMINATION FOR DEGREE OF BACHELOR
OF BUSINESSADMINISTRATION
KISII CAMPUS- PART TIME
1 YEAR 2nd SEMESTER 2018/2019 ACADEMIC YEAR

COURSE CODE: ABA 106

COURSE TITLE: BUSINESS LAW I

EXAM VENUE: _____

STREAM: (BBA)

DATE: _____

EXAM SESSION: _____

TIME: _____

Instructions:

- 1. Answer question 1(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 30 marks

- a. Define the term “Law” and explain the main roles of” law (6 marks)
- b. Discuss the essentials of a valid contract. (6 marks)
- c. Discuss the jurisdiction of the High Court of Kenya (6 marks)
- d. Distinguish between a tort and crime 4marks
- e. Distinguish between criminal law and civil wrong (4 marks)
- f. Explain the meaning and concept of legal personality (4marks)

QUESTION TWO 20 MKS

- a) What is consideration? Past consideration is NO consideration, Discuss (4 marks)
 - ii) How far is an employer liable for torts committed by its independent?
- b) i) What is meant by Vicarious Liability? (2 marks)
- c) Explain the doctrine of privity of contract (4 marks)
- d) Elaborate how contract of agency may be created by necessity (5 marks)

QUESTION THREE 20 MKS

- a) Discuss how an agency may be automatically be terminated by the court of law. (6 marks)
- b) Explain the circumstances in which an agent is presumed to be personally liable unless a contract to the contrary exist. (8 marks)
- c) Discuss the practical consequences of an incorporated association (6 marks)

QUESTION FOUR 20 MKS

- a) Explain the remedies for a breach of a contract (5 marks)
- b) Explain the stages that a bill passes before it becomes an act of parliament under the new constitution (6 marks)
- c) i). Discuss the challenges and roles of the Judiciary (4 marks)
 - ii). Discuss the reforms of the Judiciary under the new constitution (5 marks)

QUESTION FIVE 20 MKS

- a. Define the term contract and discuss ways in which a contract may be discharged. Illustrate each mode of discharge by decided cases or examples where necessary (10 marks)
- b.** The sources of Kenya Law have been contained in section (3) of the judicature Act (CAP 8 LoK).Therefore on the basis of this statement; discuss the sources of Kenyan Law (10)