



JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY

SCHOOL OF ENGINEERING AND TECHNOLOGY

**UNIVERSITY EXAMINATION FOR THE DEGREE IN SCIENCE IN
CONSTRUCTION MANAGEMENT**

**4TH YEAR 1ST SEMESTER 2024/2025 ACADEMIC YEAR
CENTRE: MAIN CAMPUS**

COURSE CODE: TCB 1401

COURSE TITLE: CONSTRUCTION & LAW

EXAM VENUE: STREAM: BSc. CONSTRUCTION MGT

DATE: 6/1/2025 EXAM SESSION:9-11.00 AM

DURATION: 2 HOURS

Instructions

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

Q. 1. (a) List any four (4) functions of law (5 Marks)

(b) Explain in not more than ONE paragraph, what is meant by the following terms:

(i) Valid contract as opposed to Illegal contract (5 Marks)

(ii) Voidable contract as opposed to Void contract (5 Marks)

(c) Vicarious liability (5 Marks)

(d) Municipal law (5Marks)

(e) Partnership business (5 Marks)

Q.2. (a) Discuss the role of County Governments as actors in the construction industry (10 Marks).

(b) What advantages does a Limited Liability Partnership have over a conventional Partnership? (10 Marks)

Q.3. The COK 2010 is the foundation of Construction law in Kenya. Discuss (20 Marks).

Q.4. (a) Identify and discuss the two dispute resolution methods (10 Marks)

(b) Under what circumstances may a Construction contract be Vitiating? (10 Marks)

Q. 5 (a) Distinguish between Negligence and Nuisance. Give practical examples when a contractor may be held negligent and liable for nuisance (10 Marks)

(b) What are the objects of the National Construction Authority as provided for in Sec. 5 (2) of the National Construction Authority Act (Act No. 41 of 2011) (10 Marks)

END