



MAASAI MARA UNIVERSITY

**REGULAR UNIVERSITY EXAMINATION
2023/2024 ACADEMIC YEAR
FIRST YEAR FIRST SEMESTER**

**SCHOOL OF BUSINESS AND ECONOMICS
CERTIFICATE IN BUSINESS MANAGEMENT**

**COURSE CODE: CHR 104
COURSE TITLE: BUSINESS LAW**

DATE: 2/2/2024

TIME: 1100-1300 HRS

INSTRUCTIONS TO CANDIDATES

Answer Question ONE (compulsory) and any other TWO questions

QUESTIONS ONE (30 MARKS)

- a. i.) Outline the distinction between civil law and criminal law. **(2 marks)**
 - ii. State and discuss five sources of Kenya law. **(5marks)**
 - iii. Discuss the different functions of law. **(5 marks)**

- b. i. Explain the word Negotiable instruments and give examples. **(5 marks)**
 - ii. **Define the term Hire-purchase** **(2marks)**

- c. Explain the rights and remedies of a seller in sale of goods. **(5 marks)**

- d. i. Define the word agency and list the parties involved in the Agency Agreement. **(4 marks)**
 - ii. Discuss the duties of the Hirer in Hire Purchase Agreement? **(2 marks)**

QUESTION TWO (20 MARKS)

- a. Define the term hire purchase. **(2 marks)**

- b. Discuss disadvantages and advantages of Hire-purchase. **(8 marks)**

- c. Discuss the conditions and warranties in Hire – purchase Agreement. **(10 marks)**

QUESTION THREE (20 MARKS)

- a. i. What is Intellectual property? **(2 marks)**
 - ii. Discuss the four types of Intellectual properties. **(8 marks)**

- b. Otieno who is interested in purchasing a piece of land meets Musa who is a willing seller. After negotiations Musa agreed to sell the piece of land to Otieno at a total consideration amount of Kenya shillings Four Hundred Thousand. The parties approached a lawyer who drafted a land sale agreement for them. After Otieno paid the total consideration amount Musa refused to transfer the piece of land to Otieno.

Having been aggrieved Otieno approached you as a student of Business law for advice.

- i. Advice Otieno on the remedies available for him. **(5 marks)**
- ii. Discuss the elements of a valid business contract. **(5 marks)**

QUESTION FOUR (20 MARKS)

- a. i. Discuss the different types of torts. **(8 marks)**
 - ii. Explain defences available to a person accused of Negligence? **(8 marks)**
- b. Discuss ways to which an agency might be created. **(4 marks)**

QUESTION FIVE (20 MARKS)

- a. i. What is commercial arbitration? **(2marks)**
 - ii. Discuss the procedure of appointment of an arbitrator. **(8 marks)**
- b. Discuss five circumstances under which a non- owner of goods can pass a valid title to the buyer in sale of goods contract. **(10 marks)**

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