



# **MAASAI MARA UNIVERSITY**

**REGULAR UNIVERSITY EXAMINATIONS  
2017/2018 ACADEMIC YEAR  
SECOND YEAR SECOND SEMESTER**

**SCHOOL OF TOURISM AND NATURAL  
RESOURCE MANAGEMENT  
BACHELOR OF TOURISM MANAGEMENT**

**COURSE CODE: BTM 2203  
COURSE TITLE: TOURISM LAW AND  
PRACTICES**

**DATE: 30<sup>TH</sup> APRIL, 2018**

**TIME: 1100 – 1300 HRS**

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**INSTRUCTIONS TO CANDIDATES**

Answer all questions in **SECTION A** and any other three in Section B

## SECTION A-25 MARKS

1.

a) The plaintiff was a guest at the defendant's hotel in Nairobi. He had previously stayed at the hotel on eight occasions but had never before occupied a room on the ground floor. At about 11.00pm on the night in question, he arrived back in his room and wanted to use the lavatory. He had ascertained during the day that the lavatory was diagonally across the passage from his room door but since the passage was now unlit, he was unable to locate the light switch. He therefore crossed the passage in the dark and by feeling his way, came to a door which he believed to be that of the lavatory but which was in fact leading to a basement. On opening the door and passing through the door way, the plaintiff immediately fell down a flight of steps and sustained injury. Advise him **(20 marks)**

b) Write short notes on the following:

i. Volenti non fit injuria

**(2.5marks)**

ii. Vicarious liability.

**(2.5 marks)**

## SECTION B-45 MARKS

2. a) Proper consent to a contract may be affected by false statements, duress amongst others. Discuss each of these giving relevant examples.

**(10 marks)**

b) Analyze any two elements of a valid contract

**(5 marks)**

3. a) State and explain at least four sources of employment law. **(6 marks)**

b) Elaborate on the various grounds under which an employer may be sued for discrimination under employment law **(9 marks)**

4. Discuss the legal challenges facing the tourism industry in Kenya.

**(15 marks)**

5. a) Discuss the aims and objectives of tourism law.

**(10 marks)**

b) Explain why it is important for tourism managers to have knowledge of tourism law **(5 marks)**

6. Discuss the general defenses available to a hotelier against injuries sustained by lawful visitors **(15 marks)**

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