



MACHAKOS UNIVERSITY

University Examinations for 2019/2020 Academic Year

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

FIRST YEAR THIRD SEMESTER EXAMINATION FOR

2906/106/BL DIPLOMA IN BUSINESS

2903/106/BL DIPLOMA IN SUPPLIES MANAGEMENT

BUSINESS LAW

DATE: 14/12/2020

TIME: 8.30-11.30 AM

INSTRUCTIONS:

ANSWER ANY FIVE QUESTIONS

1. a) Explain five duties of an employee to an employer (10 marks)
b) Explain five ways in which an easement can be terminated (10 marks)
2. a) Olimba entered into a contract with Mutinda in which it was agreed that Mutinda a transporter would transport fifty crates of milk from Nairobi to Garissa. While in the way Mutinda's car broke down at a remote area and he was unable to contact Olimba or to immediately repair the car. Fearing that the milk would go bad he sold it to the local residents at a lesser amount than the market value. As a result, Olimba intends to sue Mutinda. Advice the parties. (10 marks)
b) In relation to the law of property
 - I. Distinguish between real property and personal property (2 marks)
 - II. Explain four types of leases (8 marks)
3. a) Monica and Kim are neighbours in SOUTH B estate. Monica has planted mangoes whose branches bend into Kim's compound. Kim has told Monica that unless she cut the overgrown branches within one week, he would do so himself. Monica refused to cut the branches within one week. Kim took a ladder which he placed inside his compound and cut the branches which had overgrown into his compound. Monica is aggrieved and seeks your advice.
 - I. Explain the legal principles applicable
 - II. Advice Monica (10 marks)

- b) Explain five remedies that may be granted by the High Court to enforce the enjoyment of fundamental rights and freedoms of individuals. (10 marks)
4. a) Petro instructs Albert an agent to sell his house. Petro withdraws Albert's authority but Albert goes ahead and sells the house to Tito who buys in good faith, Stating the legal principles applicable advice the parties. (10 marks)
- b) Explain five powers that may be exercised by a personal representative in the discharge of his duties (10 marks)
5. a) Outline five remedies available to a mortgagee against a defaulting mortgagor. (10 marks)
- b) Explain five ways in which a testamentary gift may fail. (10 marks)
6. a) Explain five disadvantages of administrative tribunals. (10 marks)
- b) Explain five grounds on which a person may lose citizenship by deprivation. (10 marks)
7. a) State five particulars that are contained in the memorandum of association of a registered company. (10 marks)
- b) Outline five functions of the Attorney General of Kenya (10 marks)