



MACHAKOS UNIVERSITY

University Examinations 2021/2022

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

FIRST YEAR FIRST TERM EXAMINATION FOR

DIPLOMA IN BUSINESS/SUPPLIES MANAGEMENT

2906/106 2903/106: BUSINESS LAW

DATE:

TIME:

INSTRUCTIONS: ANSWER ANY FIVE QUESTIONS

1. (a) Outline six qualifications for appointment as a judge of a superior court. (10 marks)
- (b) Explain four remedies available to a plaintiff in a suit of trespass to land. (10 marks)
2. (a) Outline six instances when a court may depart from a binding precedent. (12 marks)
- (b) Explain four types of courts duly established in Kenya. (8 marks)
3. (a) Outline four circumstances under which battery is not a tortious act. (10 marks)
- (b) Explain four shortcomings of common law that instigated the doctrine of equity. (10 marks)
4. (a) Outline six characteristics that a custom should have to be a source of law. (12 marks)
- (b) Explain four shortcomings of statutes as a source of law. (8 marks)
5. (a) Explain five ways in which the national assembly of Kenya should improve the law-making process. (10 marks)
- (b) Outline three elements that a plaintiff must prove in action for negligence. (6 marks)
- (c) Explain two defences that a person accused of negligence may plead. (4 marks)
6. (a) Outline six differences between criminal and civil law. (12 marks)
- (b) Explain four ways in which the high court exercises supervisory jurisdiction. (8 marks)
7. (a) Outline five functions of the executive arm of the government of Kenya (10 marks)
- (b) Explain five disadvantages of administrative tribunals. (10 marks)