



# MACHAKOS UNIVERSITY

University Examinations 2018/2019

SCHOOL OF AGRICULTURAL SCIENCES

THIRD YEAR SECOND SEMESTER EXAMINATION FOR

BACHELOR OF SCIENCE (AGRIBUSINESS MANAGEMENT AND TRADE)

AGB 415: AGRICULTURAL LAW

DATE: 25/4/2019

TIME: 2:00 – 4:00 PM

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**INSTRUCTIONS: Answer question ONE and any other TWO questions**

**QUESTION ONE (COMPULSORY) (30 MARKS)**

- a) Distinguish between
- i) Expressed and implied contracts (2 marks)
  - ii) Law and Morality (2 marks)
  - iii) Public and Private Law (2 marks)
  - iv) Substantive Law and Procedural Law (2 marks)
  - v) Special agent and a general agent. (2 marks)
- b) In relation to law of property
- i) Distinguish between ownership and possession (4 marks)
  - ii) Explain ways in which land ownership may be acquired. (6 marks)
- c) Describe how international food safety standards have affected horticultural production in Kenya (6 marks)
- d) Discuss two impediments to land reforms in Kenya. (4 marks)

**QUESTION TWO (20 MARKS)**

- a) State and explain the contents of the memorandum of association. (10 marks)
- b) Highlight the circumstances under which a partnership would be dissolved on the application of a partner. (10 marks)

**QUESTION THREE (20 MARKS)**

- a) In relation to the law governing insurance, explain 5 basic principles of insurance (10 marks)
- b) Explain 5 sources of law in Kenya. (10 marks)

**QUESTION FOUR (20 MARKS)**

- a) Mheshimiwa, a rich but illiterate freehold owner of property has leased his property for a number of years to Wanyonyi. Mheshimiwa wishes to repossess the property for his own use and seeks to know the various ways in which lease may be terminated.  
Advice him (6 marks)
- b) Highlights the essentials of a contract for the sale of goods. (4 marks)
- c) Describe five types of tenancies. (10 marks)

**QUESTION FIVE (20 MARKS)**

- a) Describe the remedies available to the buyer for a breach of a contract for the sale of goods. (10 marks)
- b) Discuss five shortcomings of common law. (10 marks)