

LAIKIPIA



UNIVERSITY

## UNIVERSITY EXAMINATIONS

2<sup>ND</sup> SEMESTER 2023/2024 ACADEMIC YEAR

**THIRD YEAR EXAMINATION FOR THE DEGREE OF  
BACHELOR OF EDUCATION (ARTS)**

**BUST 321: BUSINESS LAW**

***STREAM:***

***TIME: 2 HRS***

***DAY: WEDNESDAY [2.30-4.30 P.M]***

***DATE: 10/04/2024***

**THIS QUESTION PAPER CONSISTS OF THREE (3) PAGES**

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**INSTRUCTION: ANSWER QUESTION 1(COMPULSORY AND OTHER TWO QUESTIONS)**

**QUESTION ONE**

- (a) In this case law;”B” told Marshal, a motor dealer, that he wanted to buy a car which could be comfortable for touring purpose. Marshal recommended to him a “Bugatti car”. When the car was delivered, it was found that it was neither comfortable nor suitable for touring purposes. “B” sued for the return of the purchase money.

**REQUIRED:**

Explain all the legal elements of the Tort law in this case. **(10marks)**

- (b) In this case law; the defendant, who owned medical preparation called “the carbolic smoke ball” ,issued an advertisement in which they offered to pay Ksh .100/= to anyone who fell sick with influenza after having used one of their products for a specified period .”p” had used the product as stated , but fell sick. She sued for Ksh 100/=

**REQUIRED:**

Explain all the legal elements in this case. **(10 marks)**

- (c) In this case: a man bought a bottle of ginger –beer from a retail shop for his girlfriend. The manufacturers had bottled the substance in opaque bottles so that its content could not be seen. When the girl poured the content in the glass; it contained the decomposed remains of a snail. The girl was ill. In consequence, she sued the manufacturer for damages.

**REQUIRED:**

Explain all the legal issues in this case law. **(10 marks)**

**QUESTION TWO**

- (a) Describe in detail the structure of Kenyan courts **(10 marks)**  
(b) Giving relevant examples, explain the following:  
(i) Illegal contracts **(2 marks)**  
(ii) Islamic law **(2 marks)**  
(iii) Common law and equity **(2 marks)**  
(iv) Application of African customary law **(4 marks)**

**QUESTION THREE**

- (a) What do you understand in relation to the following:
- (i) Dispute resolution **(2 marks)**
  - (ii) Judicial precedents **(2 marks)**
  - (iii) Law reports **(2 marks)**
  - (iv) Law of succession **(2 marks)**
  - (v) Statutes and delegated legislation **(2 marks)**
- (b) Describe the following:  
Kenya industrial court, business tribunals, rent restriction tribunals and co-operation tribunals. **(10 marks)**

**QUESTION FOUR**

- (a) Explain the sources of law of Kenya giving examples. **(10 marks)**
- (b) Giving relevant examples ; describe the classification of law in different categories **(10 marks)**

**QUESTION FIVE**

- (a) Define at least three (3) different definitions of law, and explain the purposes of law with relevant examples **(10 marks)**
- (b) Under the sales of goods Act Cap. 31 of 1962 laws of Kenya, in the law of property, explain the rules as to the passing of property from the seller to the buyer as covered in business law. **(10 marks)**

