

LAIKIPIA



UNIVERSITY

## UNIVERSITY EXAMINATIONS

2<sup>ND</sup> SEMESTER 2022/2023 ACADEMIC YEAR

FOURTH YEAR EXAMINATION FOR THE DEGREE  
OF BACHELOR OF AGRICULTURAL ECONOMICS AND  
AGRICULTURAL EDUCATION AND EXTENSION

**AGEC 452: AGRICULTURAL AND ENVIRONMENTAL LAW**

***STREAM: AGED***

***TIME: 2 HRS***

***DAY: FRIDAY [11.30-13.30 P.M.]***

***DATE: 14/04/2023***

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

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**INSTRUCTIONS**

Answer question one and any other two questions

**QUESTION ONE (30 MARKS)**

- a) Explain the importance of a contract and contract law for agriculture (6 marks)
- b) Discuss the general defenses available to a defendant in case of a breach of tort. (6 marks)
- c) Describe the mandate of National Climate change council according to National Climate Change Act 2016. (8 marks)
- d) Explain the objectives of annual review of the agricultural industry as defined by section 5 of the agriculture act Cap 318, 2012. (6 marks)
- e) Discuss the following sources of law in Kenya
  - i) African customary law
  - ii) Islamic law(4 marks)

**QUESTION TWO (20 MARKS)**

- a) Discuss the jurisdiction of the National Green Tribunal according EMCA. (5 marks)
- b) Do you think that the objects for which the tribunal was created have been achieved by it? (5 marks)
- c) In relationship to the structure of courts in Kenya, explain the composition and jurisdiction of the court of appeal. (10 marks)

**QUESTION THREE (20 MARKS)**

- a) Define the following terms according to the agriculture act:
  - i) Agricultural land
  - ii) Guarantee minimum returns
  - iii) Estate
  - iv) Servitude
  - v) Encumbrances(10 marks)
- b) Explain FIVE instances when land transaction can be void under the land control act (10 marks)



**QUESTION FOUR (20 MARKS)**

- a) Explain FIVE essential indicators of a good agricultural contract **(10 marks)**
- b) One of the recognized sources of law in Kenya are the act of parliament. In view of this statement explain the advantages of parliament as a source of law. **(5 marks)**

**QUESTION FIVE (20 MARKS)**

- a) Discuss the negative and positive effects of price regulation for farm produce by government of Kenya **(10 Marks)**
- b) Identify and explain the various orders or writs which the high court may issue when exercising its supervisory jurisdiction **(10 Marks)**

