**UNIVERSITY OF SCIENCE AND TECHNOLOGY**

**P.O. Box 972-60200 – Meru-Kenya.**

 **Tel: 020-2069349, 061-2309217. 064-30320 Cell phone: +254 712524293, +254 789151411**

**Fax: 064-30321**

**Website:** [**www.mucst.ac.ke**](http://www.mucst.ac.ke) **Email:** **info@mucst.ac.ke**

**University Examinations 2014/2015**

FIRST YEAR, SECOND SEMESTER EXAMINATION FOR DIPLOMA IN BUSINESS ADMINISTRATION

**DBA 1209: BUSINESS LAW**

**DATE: DECEMBER 2014 TIME: 1**$\frac{1}{2}$ **HOURS**

**INSTRUCTIONS:** *Answer question* ***one*** *and any other* ***two*** *questions*

**QUESTION ONE (30 MARKS)**

1. Describe the following sources of Kenya law (6 marks)
2. Case law
3. Subsiding legislation
4. Islamic law
5. Describe incorporeal hereditaments as used in the law of property (6 marks)
6. Explain how sales contract differ from the following other contracts (6 marks)
7. Contract of barter
8. Contract of hire purchase
9. Contract of bailment
10. Explain the following terms as used in the law of Tort (6 marks)
11. Vicarious liability
12. Occupiers liability
13. Strict liability
14. Describe the general characteristics of trade unions (6 marks)

**QUESTION TWO (20 MARKS)**

1. Explain the characteristics of a contract of sale of goods (10 marks)
2. Implied conditions are general duties imposed upon the seller by the law. Explain the implied conditions in the sale of goods law. (10 marks)

**QUESTION THREE (20 MARKS)**

1. “All agreements are not contracts but all contracts are agreements.” Discuss this statement explaining the essential elements of a valid contract (12marks)
2. Explain the following terms in relation to legal environment of business (8 marks)
3. Patents
4. Copyrights
5. Trade marks
6. Competition laws

**QUESTION FOUR (20 MARKS)**

1. Explain the ways in which an agent may be created in the law of agency (10 marks)
2. A person sued in Tort has at his disposal certain defences. Explain the general defences in the law of Tort (10 marks)

**QUESTION FIVE (20 MARKS)**

1. If you were the Human Resource Manager of a company in Kenya, explain the measures you would take to improve industrial relations in your company. (10 marks)
2. Distinguish between the approaches used to handle employee discipline and describe how progressive discipline approach is used. (10 marks)