

**W1-2-60-1-6**

## JOMO KENYATTA UNIVERSITY OF AGRICULTURE AND TECHNOLOGY

**UNIVERSITY EXAMINATIONS 2018/2019**

**YEAR 2 SEMESTER 2 EXAMINATION FOR THE DEGREE OF BACHELOR OF SUPPLY CHAIN MANAGEMENT**

**HPS 2203: BUSINESS LAW II**

**DATE: APRIL 2019 TIME: 2 HOURS**

**INSTRUCTIONS: ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS**

QUESTION ONE

a) A buyer ordered for a Hessian cloth which is generally used for packing purposes without specifying the purpose for which he wanted the same. The cloth was supplied accordingly on receiving the cloth it was found that it was not suitable for packing food products as it had unusual smell. Advice (5 marks)

b) The defendant had a number of artificial lakes on his hand. An unprecedented rain such had never been witnessed in living memory caused the banks of the lakes to burst and the escaping water carried away four bridges belonging to the plaintiff. Advice the defendant who is being sued (5 marks)

c) Describe the various exceptive to the doctrine of caveat emptor (10 marks)

d) Explain the various remedies to breach of contract (10 marks)

QUESTION TWO

a) Explain the various exemptions to the rule of past consideration (10 marks)

b) Explain the various rules regarding delivery of goods under section 30 of the sale of goods Act (10 marks)

QUESTION THREE

a) List and explain the remedies of a contract of sale of goods (10 marks)

bi) Differentiate between a patent and a trade mark (2 mark)

ii) Explain four importances of patents (8 marks)

QUESTION FOUR

a) Discuss the various ways of setting international trade disputes (10 marks)

b) Give five differences between sale and an agreement to sale (10 marks)