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KIRIRI WOMEN'S UNIVERSITY OF SCIENCE AND TECHNOLOGY
UNIVERSITY EXAMINATION, 2024/2025 ACADEMIC YEAR
FIRST YEAR, SECOND SEMESTER EXAMINATION
FOR THE DIPLOMA IN HOSPITALITY MANAGEMENT
DHM 1624: LAW RELATED TO HOSPITALITY INDUSTRY

Date: 18th April 2024

Time: 11.30am-1.30pm

INSTRUCTIONS TO CANDIDATES:

ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS

QUESTION ONE (30 MARKS)

CASE STUDY: CONTRACT DISPUTE

Emma, a graphic designer, entered into a contract with **Intercontinental Hotel** to create a new logo for their upcoming product launch. The contract specified a payment of Kshs 150,000 upon completion of the logo design. Emma delivered the completed logo on time, but **Intercontinental Hotel** has refused to make the agreed-upon payment, claiming that the logo does not meet their expectations.

Study the case and provide detailed responses to each of the issues raised below,

- a) Scrutinize whether Emma has a valid contract with Intercontinental Hotel. **(3 Marks)**
- b) Explain five the legal principles that governs the performance of contracts, and how they apply to this case **(5 marks)**
- c) Assess whether the **Intercontinental Hotel** can legally refuse to make the payment based on their claim of dissatisfaction with the logo. **(3 marks)**
- d) Evaluate **two** legal remedies available to Emma in this situation **(2 marks)**
- e) Highlight the first **four** chapters in the constitution of Kenya **(4 Marks)**
- f) Describe **five** legal requirements for the termination of employment contracts within the hospitality industry **(5 marks)**
- g) Analyze **four** remedies for infringement of trade and service marks in hospitality industry **(4 marks)**
- h) Explain **four** provision of the food drugs and chemical substance act in Kenya **(4 marks)**

QUESTION TWO (20 MARKS)

- a) Define the term "tort" in the context of hospitality service industry **(2 marks)**
- b) Highlight **six** Legal Duties of employees in the hospitality industry **(6 marks)**
- c) Giving examples from hospitality sector ,explain **three** key principles of negligence that apply to all operations in the hospitality industry **(6 marks)**
- d) Identify six emerging trends of laws related to catering and accommodation industry **(6marks)**

QUESTION THREE (20 MARKS)

- a) Examine the four sources of the law in Kenya **(4 marks)**
- b) Name four different types of hotel ownership business **(4 Marks)**
- c) Describe the **three** main levels of the judicial branch in a typical legal system **(6 marks)**
- d) Windsor hotel chain has recently discovered that another hotel in a different state is using a name and logo very similar to its own. Explain three legal actions available to the hotel chain to protect its trademark. **(6 Marks)**

QUESTION FOUR (20 MARKS)

- a) Define a contract of insurance in hospitality operations **(2 Marks)**
- b) Enumerate **four** advantages of operating a Franchised hotels as an investor in the hospitality industry **(4 marks)**
- c) Explain **four** safety and health responsibilities of the employer to the employee **(4 Marks)**
- d) Examine the six roles of the National Assembly and the Senate **(6 Marks)**
- e) Highlight **four** forms of intellectual property in the hospitality industry **(4 Marks)**

QUESTION FIVE (20 MARKS)

- a) Explain any five principle of insurance that insurer and the insured have to uphold to ensure the proper functioning of an insurance contract in the hospitality industry **(5 Marks)**
- b) Describe five procedure of applying for a license to operate a restaurant **(5 marks)**
- c) Discuss **three** types of Contracts applicable to the hospitality and tourism Industry **(6 marks)**
- d) Analyse **four** challenges faced by hotels and restaurants in protecting their trade service**(4 marks)**