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KIRIRI WOMEN'S UNIVERSITY OF SCIENCE AND TECHNOLOGY
UNIVERSITY EXAMINATION, 2022/2023 ACADEMIC YEAR
FOR THE DIPLOMA IN HUMAN RESOURCE MANAGEMENT
DBA 1101: BUSINESS LAW

Date: 19th April, 2022
Time: 11.30am-1.30pm

INSTRUCTIONS TO CANDIDATES

ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS

QUESTION ONE (30 MARKS)

- a) Outline six functions of law. (6 Marks)
- b) In relation to negotiable instruments, state six duties of a banker to his customer (6 Marks)
- c) In relation to the law of contract, explain three ways in which a contract might be discharged. (6 Marks)
- d) With reference to the law of tort explain three remedies available to the aggrieved party on the publication of defamatory statements. (6 Marks)
- e) Highlight three differences between a criminal wrong and a civil wrong. (6 Marks)

QUESTION TWO (20 MARKS)

- a) Citizenship of Kenya may be acquired in four different ways. One of them is through birth. Explain ways in which one can become a Kenyan citizen through birth. (10 Marks)
- b) Under section 17 of the Employment Act, a summary dismissal is justified after gross misconduct, when a very serious wrong has been proved. Examine circumstances under which an employee is declared guilty of such misconduct. (10 Marks)

QUESTION THREE (20 MARKS)

- a) Explain five circumstances under which an agent's action which was initially unauthorised might be subsequently ratified by his principal so as to become binding. (10 Marks)
- b) Describe five implied conditions and warranties of a hire-purchase agreement as contained in section of the Hire Purchase Act. (10 Marks)

QUESTION FOUR (20 MARKS)

- a) Explain five types of leaves that employees are entitled to in the course of their employment period. (10 Marks)
- b) Discuss the essential elements of a valid employment contract. (10 Marks)

QUESTION FIVE (20 MARKS)

- a) Examine the various exceptions related to the doctrine of 'caveat emptor' (10 Marks)
- b) Discuss five conditions that must be satisfied for an endorsement to be used as a negotiation technique. (10 Marks)