



Kasarani Campus  
Off Thika Road  
Tel. 2042692 / 3  
P. O. Box 49274, 00100  
NAIROBI  
Westlands Campus  
Pamstech House  
Woodvale Grove  
Tel. 4442212  
Fax: 4444175

**KIRIRI WOMEN'S UNIVERSITY OF SCIENCE AND TECHNOLOGY**  
**UNIVERSITY EXAMINATION, 2018/2019 ACADEMIC YEAR**  
**DIPLOMA IN BUSINESS ADMINISTRATION**

**DBA 1108 – COMMERCIAL AND ADMINISTRATIVE LAW**

Date: 13<sup>th</sup> April, 2018

Time: 2.30pm –4.30pm

**INSTRUCTIONS TO CANDIDATES**

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

**QUESTION ONE (30 MARKS)**

- a) Discuss the essentials of a legally binding contract. (6Marks)
- b) Define the following types of goods as in the contract of sale of goods. (4Marks)
  - i. Existing goods and Future goods (4Makrs)
  - ii. Condition and Warranty (4Makrs)
- c) Discuss three implied conditions in a contract of sale of goods. (6Marks)
- d) Describe the features of a body corporate. (6Marks)
- e) Enumerate the policies that are popularly sold by insurance companies in Kenya today (4Marks)

**QUESTION TWO (20 MARKS)**

- a) Describe the contents of a partnership deed (8Marks)
- b) Differentiate between partnerships and body corporate (6 Marks)
- c) Discuss partnerships as unincorporated associations. (6Marks)

**QUESTION THREE (20 MARKS)**

- a) Define Negotiable instruments as captured in the Bills of exchange Act. (4Marks)
- b) Discuss how a cheque differs from other bills (inter alia) (8Marks)
- c) Describe the essential of a valid bill of exchange as a Negotiable instrument. (8Marks)

**QUESTION FOUR (20 MARKS)**

- a) Define a company (4Marks)
- b) Discuss the advantages that accrue to corporations. (8Marks)
- c) Discuss FOUR types of shares. (8Marks)

**QUESTION FIVE (20 MARKS)**

- a) Discuss the Doctrine of Caveat Emptor. (6Marks)
- b) Discuss the provisions of Law regarding stolen goods. (6Marks)
- c) Discuss 'Nemo dat quod non Habet' a common law maxim in the sale of goods contract. (8Marks)