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

DBA 1101 – BUSINESS LAW

Date: 10th April, 2018
Time: 8.30am –10.30am

INSTRUCTIONS TO CANDIDATES

ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS

QUESTION ONE (30 MARKS)

- a) Define the term Law . (3 Marks)
- b) Explain the differences between ;
- i. Written constitution and Unwritten constitution (4 Marks)
 - ii. Liquidated damages and Unliquidated damaged (4 Marks)
- c) Enumerate 3 Fundamental and Freedoms and individual is entitled to in Kenya. (6 Marks)
- d) Discuss Unincorporated associations as captured in the Law of Person (4 Marks)
- e) Describe Vicarious Liability as captured in the Law of torts (5 Marks)
- f) 'All illegal contracts are Void but not all Void contracts are illegal'. Discuss. (4 Marks)

QUESTION TWO (20 MARKS)

- a) The grant of citizenship by naturalization is purely discretionary. Discuss the circumstances though which certificate of naturalization can be granted. (8 Marks)
- b) Differentiate between Public limited companies and Private limited companies. (8 Marks)
- c) Discuss the relevance of establishing the Domicile of an individual. (4 Marks)

QUESTION THREE (20 MARKS)

- a) Whether a plaintiff has any remedy in Tort depends on the principles of general application. Discuss the following principles
- i. Damnum sine Injuria (4 Marks)
 - ii. Injuria sine Dumno (4 Marks)

- b) Briefly discuss the following specific torts
- i. Trespass (3 Marks)
 - ii. Nuisance (3 Marks)
 - iii. Negligence (3 Marks)
 - iv. Defamation (3 Marks)

QUESTION FOUR (20 MARKS)

- a) Describe the various types of leaves that employees are entitled to. (8 Marks)
- b) Explain conditions where summary dismissal is justified. (6 Marks)
- c) Explain the rights of employees in the event of termination of contract of employment. (6 Marks)

QUESTION FIVE (20 MARKS)

- a) Define consideration as used in a Contract. (4 Marks)
- b) Discuss the essentials of a legally binding contract. (8 Marks)
- c) Describe ways through which an offer can be brought to an end. (8 Marks)