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**KIRIRI WOMENS' UNIVERSITY OF SCIENCE AND TECHNOLOGY**  
**UNIVERSITY EXAMINATION, 2017/2018 ACADEMIC YEAR**  
**CERTIFICATE IN BUSINESS ADMINISTRATION**  
**CBM 022-INTRODUCTION TO BUSINESS LAW**

Date: 14<sup>th</sup> August 2018  
Time: 8.30 Am- 10.30Am

**INSTRUCTIONS TO CANDIDATES**

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

**QUESTION ONE (30 MARKS)**

- a) Define law and state its purpose there off. (6 Marks)
- b) Differentiate between a crime and a civil wrong. (6 Marks)
- c) Explain 2 sources of Law in Kenya (6 Marks)
- d) Describe the essentials of a valid contract. (6 Marks)
- e) Discuss the fault principle as regards to the law of torts. (6 Marks)

**QUESTION TWO (20 MARKS)**

- a) Distinguish between a tort and a breach of contract (3 Marks)
- b) The plaintiff a pregnant woman was walking on the pavement when suddenly a car was driven into the pavement. She suffered a nervous shock and gave birth to a premature baby. Discuss her position as regards to Law of Torts. (8 Marks)
- c) Explain the capacity of the following persons as regards the law of torts
  - i) Infants and minors (3 Marks)
  - ii) Corporations (3 Marks)
  - iii) Heads of state and Diplomats (3 Marks)

**QUESTION THREE (20MARKS)**

- a) Section 17 of Employment Act provides conditions where summary dismissal is justified. State these circumstances. (6 Marks)
- b) Explain the rights of employees in the event of termination of contract of employment. (6 Marks)
- c) Describe the various types of leaves that employees are entitled to. (8 Marks)

**QUESTION FOUR (20MARKS)**

- a) What does legal personality mean? (3 Marks)
- b) X an America has two daughters. X is the son of Kenyan father and an American mother.  
Describe the Nationality status of X and his two daughters. (5 Marks)
- c) Distinguish between.
  - i) Procedural law and substantive law (4 Marks)
  - ii) Original jurisdiction and appellate jurisdiction (4 Marks)
  - iii) Domicile and nationality (4 Marks)

**QUESTION FIVE (20MARKS)**

- a) Differentiate warranties and condition (4 Marks)
- b) Explain ways through which an offer can be terminated. (12 Marks)