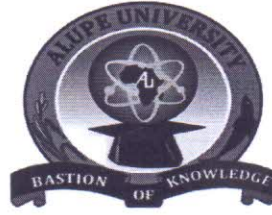


BHM 415



OFFICE OF THE DEPUTY VICE-CHANCELLOR

ACADEMICS, RESEARCH AND STUDENTS' AFFAIRS

UNIVERSITY EXAMINATIONS
2023 /2024 ACADEMIC YEAR

FOURTH YEAR FIRST SEMESTER REGULAR/MAIN EXAMINATION

FOR THE DEGREE IN HOTEL AND HOSPITALITY

MANAGEMENT

COURSE CODE: BHM 415

COURSE TITLE: HOSPITALITY LAW

DATE: 6/12/2023

TIME: 2PM-5PM

INSTRUCTION TO CANDIDATES

- **SEE INSIDE**

THIS PAPER CONSISTS OF 4 PRINTED PAGES

PLEASE TURN OVER

BHM 415

BHM 415

STREAM: BHM

DURATION: 3 HOURS

INSTRUCTIONS TO CANDIDATES

- i. Answer Question **ONE** and any other **TWO** questions.
- ii. Do not write on the question paper

QUESTION ONE

- a) Explain each of the following liquor licenses? [4 mark]
 - i). Full-on-license
 - ii). Restaurant license
- b) Explain the responsibility of the Magistrates' Courts in Kenya [2 marks]
- c) State two exceptional circumstances where case law has no application [4 marks]
- d) Case law is one of the sources of law. State four advantages of case law [4 marks]
- e) Briefly explain **three** arbitration techniques used in arbitration [6 marks]
- f) State four reasons for denying accommodation to a guest in a hotel [4 marks]
- g) Briefly explain **three key** elements typical to all torts [6 marks]
- h) Explain Laws Relating to Hotel Premises [4 marks]
- i) Explain partnership form of business as defined in Kenyan law [4 marks]

QUESTION TWO

- a) Explain five benefits of a written contract in relation to employment [10 marks]
- b) Outline steps to follow when starting a restaurant [10 marks]

QUESTION THREE

- a) Explain the following terms: [12 marks]
 - i) Duty of care

- ii) Res ispa loquitur
- iii) Assault
- iv) Battery
- v) Arbitration
- vi) Volenti non fit injuria

b) Enumerate five branches of law [5 marks]

QUESTION FOUR

- a) Explain **four** defenses for trespass to land as per Kenyan laws [8 marks]
- b) State four instances where a hotel or inn- keeper may not be liable to loss incurred by a guest in his /her hotel as per the Hotel and Restaurants Act. [8 marks]
- c) State four characteristics of tort [4 marks]

QUESTION FIVE

- a) Discuss five factors that may lead to cancellation of a hotel or restaurant license [10 marks]
- b) Explain five roles of the National Police Service in addressing the trespass offenses under the law of tort [10 marks]