



OFFICE OF THE DEPUTY VICE CHANCELLOR
ACADEMICS, RESEARCH AND STUDENTS' AFFAIRS

UNIVERSITY EXAMINATIONS

2023/2024 ACADEMIC YEAR

...2.... YEAR2... SEMESTER MAIN EXAMINATION

**FOR THE DEGREE OF BACHELOR OF
EDUCATION (ARTS)**

COURSE CODE: EDB 211

COURSE TITLE: BUSINESS LAW 1

DATE: 22/04/24

TIME: 9 AM – 12 PM

THIS PAPER CONSISTS OF 3 PRINTED PAGES

PLEASE TURN OVER

MAIN EXAM
EDB 211: BUSINESS LAW I

STREAM: BED

DURATION: 3 Hours

INSTRUCTIONS TO CANDIDATES

- i. Answer Question **ONE** and any other **TWO** questions.
- ii. Maps and diagrams should be used whenever they serve to illustrate the answer.
- iii. Do not write on the question paper.

QUESTION ONE

- (a) Explain the difference between:
 - (i) Public and private law. (4 marks)
 - (ii) Procedural and substantive law. (4 marks)
- (b) The constitution provides that when a bill has been passed by the National Assembly it shall be presented to the President for assent. Explain the stages that a bill shall go through before it comes into operation as an Act of Parliament. (12 marks)
- (c) Discuss the various equitable remedies which may be available to an injured party who is suing for breach of contract. (10 marks)

QUESTION TWO

- (a) Define the term law in the strict sense of the word. (4 marks)
- (b) Explain FIVE sources of law in Kenya or your country. (10 marks)
- (c) Explain each of the following rules of Statutory Interpretation;
 - (i) *Ejusdem generis*; (3 marks)
 - (ii) Mischief rule. (3 marks)

QUESTION THREE

- (a) In relation to the law of persons discuss four consequences of incorporation. (8 marks)
- (b) Explain the disabilities of a mentally disordered person in subject to. (4 marks)
- (c) Differentiate between a Memorandum of Association and Articles of Association of a registered company and detail the contents of the Articles of Association. (8 marks)

QUESTION FOUR

- (a) In relation to the law of succession:
 - (i) Define a will; (2 marks)
 - (ii) Explain four formalities of a will. (8 marks)
- (b) Explain five classes of persons who may be classified as dependants for purposes of provision under the Succession Act. (10 marks)

QUESTION FIVE

In relation to the Law of Contract

- (a) Explain five essentials of a valid contract. (10 marks)
- (b) Discuss five ways in which a contract may be discharged. (10 marks)