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(University of Choice)

**MASINDE MULIRO UNIVERSITY OF
SCIENCE AND TECHNOLOGY
(MMUST)**

MAIN CAMPUS

**UNIVERSITY EXAMINATIONS
2021/2022 ACADEMIC YEAR,
JULY, 2022**

**SUPPLEMENTARY/SPECIAL EXAMINATIONS
FOR THE CERTIFICATE
IN
BUSINESS MANAGEMENT**

COURSE CODE: CBB: 104

COURSE TITLE: ELEMENTS OF LAW

DATE: THURSDAY, 4TH AUGUST 2022 TIME: 11:00 – 1:00PM

INSTRUCTIONS TO CANDIDATES

1. Question **ONE** is compulsory, choose Any other **TWO** Questions
2. Marks for each question are indicated in the parenthesis.
3. Examination duration is **2 Hours**

MMUST observes ZERO tolerance to examination cheating

This Paper Consists of 3 Printed Pages. Please Turn Over.

QUESTION ONE

- i. John a neighbour to Jackson experienced a boundary dispute. John planted trees along the boundary as a boundary demarcation without Jackson's consent. John trespassed into his land and planted more trees and erected a house covering part of his land.
Explain the impact of the action In accordance to the circumstance which are expressly covered in the Kenya trespass act. (10 Marks)
- ii. Highlight the principal and subsidiary sources of law (10 Marks)
- iii. Give the main branches of law and briefly explain their differences. (10 Marks)

QUESTION TWO

- i. Highlight the essentials of a valid contract. (10 Marks)
- ii. Discuss how a contract may be discharged. (10 Marks)

QUESTION THREE

- i. Explain the five duties of an agent. (10 Marks)
- ii. Highlight the mode of acquiring citizenship in Kenya. (10 Marks)

QUESTION FOUR

- i. Highlight the reason for delegated legislation. (10 Marks)
- ii. Explain the types of a contract. (10 Marks)

QUESTION FIVE

- i. Discuss the major factors leading to termination of agency by:
 - a. Act of the parties. (5 Marks)
 - b. By operation of law. (5 Marks)
- ii. Explain the difference between a contract and a tort. (10 Marks)