



# **MACHAKOS UNIVERSITY**

**University Examinations for 2020/2021 Academic Year**

**SCHOOL OF BUSINESS AND ECONOMICS**

**DEPARTMENT OF BUSINESS ADMINISTRATION**

**SECOND YEAR SECOND TERM EXAMINATION FOR**

**CERTIFICATE IN BUSINESS MANAGEMENT**

**SUPPLY CHAIN MANAGEMENT**

**1903/207/BL 1906/207/BL: BUSINESS LAW**

**DATE: 7/6/2021**

**TIME: 8.30-11.30 AM**

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## **INSTRUCTIONS:**

ANSWER ALL QUESTION IN SECTION A AND FOUR QUESTIONS IN SECTION B

### **SECTION A (32 MARKS)**

1. State three arms of the Kenya government (3 marks)
2. State three deductions that an employer may affect from the wages and salaries of an employee (3 marks)
3. State four general defences to tort (4 marks)
4. Explain four duties of an agent towards his principal (4 marks)
5. Explain four sources of law in Kenya. (4 marks)
6. State two kinds of property (2 marks)
7. Outline three limitations of African customary law (3 marks)
8. Outline 3 types of contracts (3 marks)
9. State three elements of tort (3 marks)
10. State the defences to battery (3 marks)
11. a) In relation to the law of tort describe:
  - i. Four ingredients of defamation (4 marks)
  - ii. Three ways in which slander differs from libel (3 marks)

- b) Maina and Kamau own adjacent pieces of land. Maina's toilet bursts and raw sewage is seeping into Kamau's land causing damage to his maize crop. Kamau is aggrieved and seeks your advice.
- i. State the legal principles
  - ii. Advice Kamau
- 12 a) i Explain three elements of negligence. (3 marks)
- ii Explain three defences to negligence (4 marks)
- b) Outline five requirements in Rylands vs Fletcher (10 marks)
- 13 a) Explain five circumstances under which battery may not be a tortious act. (10 marks)
- b) Explain three defences in Rylands vs Fletcher. (6 marks)
- c) What is vicarious liability? (1 mark)
- 14 a) Explain six rules of battery (9 marks)
- b) Explain four acts of conversion. (8 marks)
- 15 a) Define slander. (1 mark)
- b) Distinguish between libel and slander. (6 marks)
- c) Explain five defences to defamation. (10 marks)