



# MACHAKOS UNIVERSITY

University Examinations 2018/2019

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

FIRST YEAR SECOND SEMESTER EXAMINATION FOR  
DIPLOMA IN PROCUREMENT AND SUPPLY CHAIN MANAGEMENT

DIPLOMA IN BUSINESS ADMINISTRATION

DIPLOMA IN ACCOUNTANCY

BUSINESS LAW

DATE: 17/4/2019

TIME: 11.30-2.30 PM

---

## INSTRUCTIONS

1. *ATTEMPT a maximum of FIVE QUESTIONS ONLY.*
  2. *DIPLOMA in B. Mgt. and Procurement do not attempt question 8.*
  3. *Diploma in Accountancy attempt Question No's: 1, 4, 6, 7, & 8 only.*
- 
1. a) Describe **FIVE** ways through which an agency relationship may be established. (10 marks)
  - b) Explain any **FIVE** rights of an agent. (10 marks)
  2. a) Illustrate any **FIVE** scenarios under which the doctrine of *Res Ipsa Loquitur* may apply in relation to Law of Tort. (10 marks)
  - b) Explain any **FIVE** defenses available to a tortfeasor in nuisance. (10 marks)
  3. a) Describe any **FIVE** remedies available in the tort of Conversion. (10 marks)
  - b) Explain any **FIVE** factors to be considered by a court of law when determining an intestate succession dispute. (10 marks)
  4. a) Highlight **FOUR** features to each of the **TWO** main forms of implied agency. (10 marks)
  - b) Explain any **FIVE** exceptions to the duty of an agent providing personalized services to the principal. (10 marks)

5. a) Distressing damage feasant is a delicate self-help remedy available to a plaintiff.  
Discuss. (10 marks)
- b) Explain any **FIVE** duties of a Public Trustee. (10 marks)
6. a) Describe the various forms of land (10 marks)
- b) Discuss the legal principles involved in creation of easements. (10 marks)
7. In relation to Law of Property explain:
- a) FIVE types of leasehold estates. (10 marks)
- b) FIVE duties of a tenant. (10 marks)
8. a) Explain any FIVE rights of Mr. Gee as an unpaid seller. (10 marks)
- b) Highlight any FIVE implied conditions in a contract of sale. (10 marks)