



# MACHAKOS UNIVERSITY

University Examinations 2018/2019

SCHOOL OF HOSPITALITY AND TOURISM MANAGEMENT

DEPARTMENT OF HOSPITALITY MANAGEMENT

FIRST YEAR SECOND SEMESTER EXAMINATION FOR

DIPLOMA IN FOOD AND BEVERAGE MANAGEMENT (TVET)

CATERING LAW THEORY

DATE:

TIME:

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## INSTRUCTIONS

Answer Question One and Any Other Two Questions

### QUESTION ONE (30 MARKS)

- a) Define the following terms. (10 marks)
- i. Legislation
  - ii. Law
  - iii. Contract
  - iv. Tort
  - v. Assault
- b) Differentiate between crime and prosecution (4 marks)
- c) Highlight four purposes of law (4 marks)
- d) Outline five main written sources of law in order of hierarchy (5 marks)

- e) Differentiate between express and implied contract (4 marks)
- f) State three elements of defamation (3 marks)

**QUESTION TWO (20 MARKS)**

- a) Explain five minimum standards required by in respect of Hotels and Restaurant before they are operational (10 marks)
- b) Differentiate between a partnership and a registered company (10 marks)

**QUESTION THREE (20 MARKS)**

- a) Describe how assault and battery may be justified (10 marks)
- b) Explain five types of dismissal (10 marks)

**QUESTION FOUR (20 MARKS)**

- a) Describe five essentials of a contract that would make it enforceable by law (10 marks)
- b) Explain five types of licence required in hotels and restaurant operation. (10 marks)

**QUESTION FIVE (20 MARKS)**

- a) Describe five reasons why a superior court may be removed from office. (10 marks)
- b) Explain five functions of the judicial service commission. (10 marks)

