



MACHAKOS UNIVERSITY

University Examinations for 2024/2025 Academic Year

SCHOOL OF BUSINESS, ECONOMICS, HOSPITALITY AND TOURISM

MANAGEMENT

DEPARTMENT OF HOSPITALITY AND TOURISM

SECOND YEAR FIRST SEMESTER EXAMINATION FOR DEGREE IN
BACHELOR OF SCIENCE IN HOSPITALITY AND TOURISM MANAGEMENT

SHT 402- HOSPITALITY AND TOURISM LAW

DATE:

TIME:

INSTRUCTIONS:

Answer question ONE (Compulsory) and any other TWO questions

QUESTION ONE (30 MARKS)

- a) Briefly explain the functions of the judiciary in Kenya. (4 Marks)
- b) A CASE OF A LOST CAR

Mr. Brown and his wife were booked and accommodated at XYZ a FOUR-STAR hotel in Kilifi County. On checking in Mr. brown drove to the parking bay, parked his car and handed the car keys to the receptionist on duty before accompanying his wife in the hotel restaurant for dinner. Mrs. Brown requested her husband to drive her to the nearby shopping Mall as she needed some items. Mr. Brown picked his car keys from the receptionist but did not find his car in the parking bay as it had been driven off.

Required:

Using your knowledge on Duties, Liabilities and Privileges of Hotel Keepers;

- i) Advice Mr. Brown legal advice. (5 Marks)
- ii) Was XYZ hotel liable for the car loss. (5 Marks)
- c) Explain four requirements to register a tour company in Kenya. (8 Marks)
- d) Giving examples, explain four basic elements of a valid contract. (8 Marks)

QUESTION TWO (20 MARKS)

- a) Describe 5 categories of travel covered by Travel insurance. (10 Marks)
- b) Discuss FIVE grounds in which a restaurant license can be cancelled. (10 Marks)

QUESTION THREE (20 MARKS)

- a) Travel Agents have special duties and obligations owed to their customers. Describe any five of such legal duties. (10 Marks)
- b) Mary Muthoni aged 50 years, a farmer from Kitengela was contracted by ABC hotel in Mavoko to supply tomatoes starting January 2023. The contract documents were signed by the two parties with a condition that Tomato will only be supplied only when an **order** is placed. The supplies went on well as expected. In May 2023 Mary Muthoni had a very excellent tomato harvest and fearing that the rains would spoil her harvested tomatoes decided to supply tomatoes to ABC hotel without an **order** and hoped they will understand her predicament. ABC hotel declined to pay.

You are required to advice both the plaintiff and the respondent

- i) Did the ABC hotel breach the contract with Mary? (5 Marks)
- ii) Should Mary sue the hotel, will her case sustain? (5 Marks)

QUESTION FOUR (20 MARKS)

- a) Explain five differences between criminal law and civil law. (10 Marks)
- b) Explain four types of Power Vested upon the Hotels and Restaurants Authority. (10 Marks)

QUESTION FIVE (20 MARKS)

- a) Explain the circumstances under which a hotelkeeper or restaurateur can refuse a would-be customer. (10 Marks)
- b) Giving industry examples explain what you understand by DUTY OF CARE in hospitality and tourism. (10 Marks)