



MACHAKOS UNIVERSITY

University Examinations for 2018/2019 Academic Year

SCHOOL OF BUSINESS AND ECONOMICS

DEPARTMENT OF BUSINESS ADMINISTRATION

FIRST YEAR SPECIAL/SUPPLEMENTARY EXAMINATION FOR

BACHELOR OF COMMERCE

BBA 101: BUSINESS LAW I

DATE: 25/7/2019

TIME: 2:00 – 4:00 PM

INSTRUCTIONS

Answer question ONE (Compulsory) and any other two questions

1. Omari is a driver in a hardware shop where his main duties include delivery of goods to customer's premises. One day he is instructed to deliver 50 bags of cement to a customer in a nearby estate. While driving, his phone rang and when attempting to pick the call, he lost control of the vehicle. The vehicle veered off the road and hit and injured a cyclist. The vehicle is also severely damaged
 - (a) Advice Omari the company and the injured pedestrian on their legal positions in this case. (18 marks)
 - (b) Discuss the implied warranties under the sale of goods Act Cap 31 (6 marks)
 - (c) Explain four rules governing consideration under the law of contracts (6 marks)
2.
 - a) Briefly discuss the elements of a simple contract (12 marks)
 - b) Discuss the elements of Tort. (8 marks)
3.
 - a) State and explain any four classes of damages that a court of law can award. (12 marks)
 - b) Discuss the elements of defamation (8 marks)
4. Clearly discuss the establishment, composition and the jurisdiction of the supreme court of Kenya. (20 marks)
5.
 - a) State and explain any four ways an agency relationship may be created. (12 marks)
 - b) Discuss the various forms of special contracts (8 marks)