



MACHAKOS UNIVERSITY

University Examinations for 2021/2022 Academic Year

DIRECTORATE OF TVET

SECOND YEAR FIRST TERM EXAMINATION FOR

DIPLOMA IN CATERING AND ACCOMMODATION MANAGEMENT

MODULE II

DIPLOMA IN FOOD AND BEVERAGE MANAGEMENT

LAW RELATING TO CATERING.

DATE: 26/7/2022

TIME: 11:30 – 2:30 PM

INSTRUCTIONS

ATTEMPT ALL QUESTIONS IN THIS SECTION. (40 MARKS)

1.
 - a) State four sources of law in Kenya. (4 marks)
 - b) Explain any two types of bills that can be debated in parliament. (4 marks)
 - c) State the three categories of the law of Tort. (3 marks)
 - d) Explain the meaning of the following terms as used in law.
 - i. Malice. (2 marks)
 - ii. Nuisance. (2 marks)
 - iii. Motive. (2 marks)
 - e) State any four remedies for Trespass to Land. (4 marks)
 - f) List five elements of a valid contract. (5 marks)
 - g) State four features of void contracts. (4 marks)
 - h) Explain three essentials in an Act of God. (3 marks)
 - i) State four circumstances that may lead to termination of an offer in a contract. (4 marks)
 - j) State the three arms of government in Kenya. (3 marks)

SECTION B-ATTEMPT ANY THREE QUESTIONS (60 MARKS)

2.
 - a) Using an illustration, show the structure of the Kenyan courts. (10 marks)

- b) Explain five functions of the judiciary. (10 marks)
3. a) Explain the five pillars that are the core beliefs and practices of Islam. (10 marks)
- b) Differentiate between direct and indirect legislation. (4 marks)
(Explain three advantages of statute laws. (6 marks)
4. a) State four objectives of the Law of Tort. (4 marks)
- b) Differentiate between a plaintiff and a tortfeasor. (4 marks)
- c) Explain the three elements that must be established to win a tort case in court. (6 marks)
- d) Explain the following types of defamation:
- i. Slander. (3 marks)
- ii. Libel. (3 marks)
5. a). Explain the capacity of the following persons in the law of Tort.
- i. Drunkard. (2 marks)
- ii. Alien enemy. (2 marks)
- b) Describe any two defenses for nuisance. (4 marks)
- c) State six general defenses to an action in the law of Tort. (6 marks)
- d) Explain the three types of offers in a contract. (6 marks)
6. a) Explain the five rules regarding a valid offer. (10 marks)
- b) Explain the three possible faults in a contract. (6 marks)
- c) State any four ways by which hospitality managers can avoid breaching contracts with their suppliers. (4 marks)