

**KASNEB
INTRODUCTION TO LAW**

Friday: 22 May 2015

Time Allowed: 3Hours

Answer any Five questions.

All questions carry equal marks

Question one

- a) i) Define the term "invitation to treat" (2marks)
- ii) Explain four types of invitation to treat (8marks)
- b) Discuss five valid essentials of a contract (10marks)

(Total 20 marks) Question two

- a) In relation to the law governing sale of goods, describe five rules which govern transfer of property in goods. (10 marks)
- b) In relation to the criminal law in your country outline five rights of an arrested person (5marks)
- c) Identify any five national values as envisaged by the constitution in your country (5marks)

(Total 20 marks)

Question three

- a) Discuss eight advantages of litigation that have led to the increase in use of alternative dispute resolution systems (8marks)
- b) Nathan Hongera and his wife Jamila Hongera were resiters as joint tenants of a parcel of land. Nathan Hongera died two months ago, and Jamila Hongera intends to charge the land as security to Tusaidiane Bank. However, her son, Peter Hongera has objected by claiming that he is entitled to half share of his deceased father's land.

Analyse the legal principles applicable in the above case and advise Jamila Hongera who intends to obtain a court injunction against Peter Hongera. (12 marks)

(Total marks 20)

Question four

- a) Acceptance of bill of exchange could either be general or qualified.

Identify four examples of qualified acceptance of a bill of exchange. (4 marks)
- b) Summarise three exceptions laid down in Tournier V. National Provincial and Union Bank of England (1924), regarding the duties of non-disclosure concerning its customers' affairs. (6marks)
- c) With specific reference to public procurement and disposal law in your country.
 - i. List six examples of public entities (6marks)
 - ii. Outline four instances under which direct procurement might be used (4marks)

(Total 20 marks) Question five

- a) Discuss three circumstances under which citizenship might be revoked under the following headings
 - i. If a person acquired citizenship by registration (6marks)
 - ii. If a person acquired citizenship by birth (6marks)
- b) With specific reference to the court structure in your country
 - i List four superior courts (4marks)

- i Outline two qualifications that a person must possess in order to qualify for appointment as a judge of superior court (4marks)

(Total 20 marks)

Question six

- a) Discuss four main ingredients of defamation that must be proved in order to maintain an action. (8marks)
- b) Explain six ways through which an agency relationship might be terminated. (12marks)

(Total 20 marks) Question seven

- a) For hire purchase agreement to be enforceable, it must contain certain requirements. With reference to the above statement, explain these requirements (8marks)
- b) Express the meaning of the following terms as used in the law of insurance
- i. Third party insurance (2marks)
 - ii. Average clause (2marks)
 - iii. Surrender value (2marks)
- c) Isaka Ashoka has an account with Tahidi Bank which he has been operating in a very unsatisfactory manner. He is fond of countermanding payment of his cheques whenever there are insufficient funds to honour of payment. Tahidi Bank has mistakenly ignored Isaka Ashok's stop notice and returned his cheques with remarks "refer to drawer".
- Analyse the relevant principle applicable in the above case, and advise Isaka Ashok who intends to sue Tahidi Bank. (6 marks)