

**SECTION A: (32 marks)**

*Answer ALL the questions in this section in the spaces provided after each question.*

1. Outline the role of the office of the Director of Prosecutions in the prosecution of criminal offences. (3 marks)

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2. Explain **two** types of leases. (2 marks)

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3. State **three** ways in which a contract may be discharged. (3 marks)

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4. Outline **three** formalities of a valid written will. (3 marks)

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5. Explain **four** defences to an action for defamation. (4 marks)

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6. Outline **three** types of endorsements that may be made on a Bill of Exchange. (3 marks)

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7. State **three** ways in which an agency relationship may be created. (3 marks)

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8. Outline **four** duties of an employer towards an employee. (4 marks)

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9. State **three** fundamental rights of an individual contained in the Constitution of Kenya, 2010. (3 marks)

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10. Explain **four** sources of law in Kenya. (4 marks)

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**SECTION B: (68 marks)**

Answer any **FOUR** questions from this section in the spaces provided after question 15.

11. (a) Outline the characteristics of a promissory note. (8 marks)
- (b) In relation to the law governing negotiable instruments, explain six essentials of a "payment in due course". (9 marks)
12. (a) Explain the conditions that must be fulfilled for a gift to take effect as *donatio mortis causa*. (8 marks)
- (b) Outline the duties of a personal representative. (9 marks)
13. (a) On Monday last week, Onyango received a written offer from Kamau for sale of Kamau's car for Ksh 250,000 and on the following day, Onyango posted a letter of acceptance but never reached Kamau. On Wednesday, Kamau posted a letter to Onyango withdrawing the offer since he had sold the car to another customer for Ksh 300,000. Now Onyango is aggrieved and has approached you for legal advice.
- (i) Explain the legal principles applicable in this case;
- (ii) Advise Onyango. (7 marks)
- (b) In relation to the law of contract, explain the elements that a party alleging misrepresentation by the other party has to prove in order to be assisted in avoiding the contract. (10 marks)

