

Name \_\_\_\_\_ Index No \_\_\_\_\_ / \_\_\_\_\_

1902/204

INTRODUCTION TO LAW

November 2015

Time: 3 hours

Candidate's Signature \_\_\_\_\_

Date \_\_\_\_\_



THE KENYA NATIONAL EXAMINATIONS COUNCIL

**CRAFT CERTIFICATE IN SALES AND MARKETING  
MODULE II**

INTRODUCTION TO LAW

3 hours

**INSTRUCTIONS TO CANDIDATES***Write your name and index number in the spaces provided above.**Sign and write the date of the examination in the spaces provided above.**This paper consists of TWO sections; A and B.**Answer ALL the questions in Section A and any FOUR questions from section B, in the spaces provided in this question paper.**Do NOT remove any pages from this question paper.**Candidates should answer the questions in English.***For Examiner's Use Only**

Section	Question	Maximum Score	Candidate's Score
A	1 - 10	32	
B	11	17	
	12	17	
	13	17	
	14	17	
	15	17	
Total Score			

**This paper consists of 16 printed pages.**

**Candidates should check the question paper to ascertain that all the pages are printed as indicated and that no questions are missing.**

**SECTION A (32 marks)**

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

1. State **four** factors that undermine the rule of law. (4 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(iv) \_\_\_\_\_

2. Outline **three** types of cheques. (3 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

3. Outline **three** circumstances underwhich an agent may delegate his duties. (3 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

4. State **four** ways in which a contract may be discharged. (4 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(iv) \_\_\_\_\_

5. List **three** forms of delivery of goods. (3 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

6. List **three** ways through which a person may acquire a Kenyan citizenship. (3 marks)

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

7. List **three** remedies for breach of contract. (3 marks)

- (i) \_\_\_\_\_  
\_\_\_\_\_
- (ii) \_\_\_\_\_  
\_\_\_\_\_
- (iii) \_\_\_\_\_  
\_\_\_\_\_

8. Outline **three** powers of the Court of Appeal. (3 marks)

- (i) \_\_\_\_\_  
\_\_\_\_\_
- (ii) \_\_\_\_\_  
\_\_\_\_\_
- (iii) \_\_\_\_\_  
\_\_\_\_\_

9. Outline **three** circumstances under which a seller's lien is exercisable. (3 marks)

- (i) \_\_\_\_\_  
\_\_\_\_\_
- (ii) \_\_\_\_\_  
\_\_\_\_\_
- (iii) \_\_\_\_\_  
\_\_\_\_\_

10. Outline **three** elements that may be considered in the determination of a wrongful act. (3 marks)

- (i) \_\_\_\_\_  
\_\_\_\_\_
- (ii) \_\_\_\_\_  
\_\_\_\_\_
- (iii) \_\_\_\_\_  
\_\_\_\_\_

**SECTION B (68 marks)**

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

- 11. (a) Explain **six** circumstances under which an agency relationship may be terminated by operation of law. (9 marks)
- (b) Outline **four** functions of law. (8 marks)
  
- 12. (a) Explain **six** rules that govern presentation of a bill of exchange for payment. (9 marks)
- (b) Outline **four** forms of fundamental freedom guaranteed by the Constitution of Kenya. (8 marks)
  
- 13. (a) Explain **six** characteristics of corporations. (9 marks)
- (b) Explain **four** obligations of the seller in the contract of sale of goods. (8 marks)

14. (a) Highlight **six** features of a valid contract. (9 m)
- (b) Bwanyenye Nyapara drew an open cheque of Ksh.6,000 in favour of his driver, Tapeli Mpole. The cheque was duly signed and dated by Nyapara. Nyapara wrote Ksh.6,000 in figures but as he was in a hurry, he told Mpole to write the amount in words and also to write his name as the payee. Mpole altered the figure by adding another zero to make it Ksh.60,000 and also wrote the new figure in words. Mpole cashed the cheque and took off. Nyapara has learnt that Mpole withdrew Ksh.60,000 instead of Ksh.6,000.

Explain the legal principles applicable in this case.

(8 m)

15. (a) Explain **six** circumstances under which an agent may be held personally liable on a contract he has entered on behalf of the principal. (9 m)
- (b) Explain the following types of tort:
- (i) Negligence;
  - (ii) Trespass;
  - (iii) Nuisance;
  - (iv) Defamation.

(8 m)