

1902/204  
INTRODUCTION TO LAW  
November 2022  
Time: 3 hours



THE KENYA NATIONAL EXAMINATIONS COUNCIL  
CRAFT CERTIFICATE IN SALES AND MARKETING

INTRODUCTION TO LAW

3 hours

INSTRUCTIONS TO CANDIDATES

*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 answer booklet provided.*

*Candidates should answer the questions in English.*

**This paper consists of 3 printed pages.**

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

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**SECTION A (32 marks)**

*Answer ALL questions in this section.*

1. State **three** conditions that must be satisfied in order to claim self-defense. (3 marks)
2. List **four** classification of cheques as a mode of payment. (4 marks)
3. State **three** instances under which a principal is not bound to remunerate the agent. (3 marks)
4. In relation to the contract for the sale of goods, state **three** circumstances under which a buyer is deemed to have accepted goods. (3 marks)
5. Enumerate **four** mistakes which shall not affect the validity of a contract. (4 marks)
6. State **three** conditions that an alien must fulfill in order to be granted a certificate of naturalization. (3 marks)
7. State **three** principles that guide the separation of powers among the three arms of the government. (3 marks)
8. The constitutional validity of an executive order can be challenged in a high court on **three** grounds. Name these grounds. (3 marks)
9. State **three** ways in which Procedural Law serves Substantive Law at the trial stage. (3 marks)
10. Give **three** purposes of morality in the society. (3 marks)

**SECTION B (68 marks)**

*Answer FOUR questions from this section.*

11. (a) Explain **four** remedies in respect to trespass to land. (8 marks)
- (b) Explain **six** rules governing presentation of a bill of exchange for payment. (9 marks)
12. (a) There are essential conditions which must be satisfied for agency by ratification to arise. Explain **four** such conditions.. (8 marks)
- (b) Explain **six** exceptions to the principle of Nemo-Dat Quod Non-Habet. (9 marks)

13. (a) Kongo contracted Jefa to transport ten sacks of Marijuana from Mandera town to Mlolongo. Along the way, Jefa was arrested by the police and the cargo did not reach its destination. Kongo is aggrieved and intends to sue Jefa for breach of contract. Explain the legal principle applicable. (8 marks)
- (b) Under section 218 of the companies Act, a petition may be presented to the High Court, specifying grounds for compulsory winding up of a company. Explain six such grounds. (9 marks)
14. (a) Highlight **four** reasons judges are accountable for their adjudicative functions. (8 marks)
- (b) Explain six disadvantages of administrative tribunals. (9 marks)
15. (a) In relation to the Law of Contract, highlight **four** distinctions between Offer and Acceptance. (8 marks)
- (b) Judicial Precedent is one of the sources of law. However, in certain circumstance, a court may refrain from a binding precedent. Explain six such circumstances. (9 marks)

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