

1902/204  
INTRODUCTION TO LAW  
July 2023  
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 FIFTEEN questions in TWO sections; A and B.  
Answer ALL the questions in section A and any FOUR questions from section B in the answer booklet provided.  
Maximum marks for each question or part of the question are indicated.  
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.**



**SECTION A (32 marks)**

*Answer ALL questions in this section.*

1. List **four** laws that comprise private law. (4 marks)
2. List **four** factors that may undermine the rule of law in a country. (4 marks)
3. List **two** types of judgments that may be made by the Court of Appeal of Kenya. (2 marks)
4. State **three** conditions that must be satisfied for other partners in a partnership to be held liable for the acts of a partner. (3 marks)
5. State **two** defences that may be pleaded by a defendant under the doctrine of *res ipsa loquitur*. (2 marks)
6. In relation to the law of contract, state **three** circumstances under which past consideration is sufficient to support a contractual claim. (3 marks)
7. List **four** forms of a contract for the sale of goods. (4 marks)
- 51 8. State **three** instances when the power of the principal to revoke the authority of an agent is limited. (3 marks)
9. List **four** types of cheques. (4 marks)  
*Bearer cheque*
10. State **three** duties of a buyer in a contract for the sale of goods. (3 marks)



**SECTION B (68 marks)**

*Answer any **FOUR** questions from this section.*

11. (a) Outline **four** distinctions between law and morality. (8 marks)
- (b) In relation to the law of contract, explain **six** ways in which an offer may be brought to an end. (9 marks)
12. (a) Explain **six** jurisdictions exercised by the High Court of Kenya. (9 marks)  
*- Has powers to order trial - Has power to make a judgment*
- (b) *Has power to determine a case in a court - Has power to order for retrial.*  
 Mercy ordered goods from Wamy Wholesalers and delivery was to take place on the following day. Wamy Wholesalers delivered the goods as agreed but Mercy refused to take delivery. Wamy Wholesalers intends to sue Mercy for the loss suffered.
- Explain the legal principles applicable in this case. (8 marks)
13. (a) Explain **six** defences that may be pleaded by a person accused of battery. (9 marks)
- (b) Nicholus is unhappy that his bank disclosed information relating to his account to government officers investigating him in a corruption case.
- Explain the legal principles applicable in this case. (8 marks)
14. (a) Explain **six** classes of the constitution of a country. (9 marks)
- (b) Highlight **four** categories of persons who may be registered as citizens of Kenya. (8 marks)
15. (a) In relation to a contract for the sale of goods, highlight **six** rules of delivery. (9 marks)
- (b) (i) Explain **two** circumstances under which agency by necessity arises. (4 marks)
- (ii) Highlight **two** conditions that must exist for commercial agency of necessity to arise. (4 marks)

**THIS IS THE LAST PRINTED PAGE.**

