

2903/106      2914/106  
2906/106      2924/106  
2907/106      2926/106  
**BUSINESS LAW**  
**July 2023**  
**Time: 3 hours**



**THE KENYA NATIONAL EXAMINATIONS COUNCIL**  
**DIPLOMA IN SUPPLY CHAIN MANAGEMENT**  
**DIPLOMA IN BUSINESS MANAGEMENT**  
**DIPLOMA IN COOPERATIVE MANAGEMENT**  
**DIPLOMA IN ENTREPRENEURSHIP**  
**DIPLOMA IN INVESTMENT MANAGEMENT**  
**DIPLOMA IN HUMAN RESOURCE MANAGEMENT**

**BUSINESS LAW**

**3 hours**

**INSTRUCTIONS TO CANDIDATES**

*This paper consists of SEVEN questions.  
Answer any FIVE questions in the answer booklet provided.  
All questions carry equal marks:  
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.**

- 1 (a) Explain five remedies in trespass to land. (10 marks)
- (b) In relation to the law of contract, explain five exceptions to the doctrine of complete and precise performance. (10 marks)
2. (a) The constitutions of Kenya provides that every person has a right to life and no one should deprive another of this right. Outline five circumstances when a person may be deprived of such a right. (10 marks)
- (b) A principal is generally liable for contracts made by the agent. Outline five exceptions to this rule. (10 marks)
3. (a) In relation to the law of contract, explain five ways in which an offer may be terminated. (10 marks)
- (b) The judiciary in Kenya performs various functions. Outline five such functions. (10 marks)
4. (a) Describe the composition and jurisdiction of the supreme court of Kenya. (12 marks)
- (b) In relation to the law of property, highlight four rights of a tenant. (8 marks)
5. (a) With reference to interstate succession, outline the order in which the estate of a deceased who left no surviving spouse or children should devolve. (12 marks)
- (b) Muradi has been selling milk in a kiosk for five years. He had so many customers and good profits. Recently, Salima opened a milk bar next to Muradi's kiosk that did not go well with Muradi because he was to lose some of his customers. Muradi therefore hatched a plan in which he sent messages to Salima's customers, claiming that Salima's milk is laced with preservatives not good for human health. The claim, however, turned out not to be true. Salima is aggrieved and intends to take legal action against Muradi.
- Explain the legal principles applicable in this case. (8 marks)

6. (a) The Employment Act imposes certain duties on employers. Explain six such duties. (12 marks)
- (b) Roger, an agent selling goods, was instructed by the principal not to sell goods on credit. He however sold goods to his friend on credit, who was unable to settle the debt. The principle has demanded to recover the price of goods sold on credit from the agent.
- Explain** the legal principles applicable in this case. (8 marks)
7. (a) Outline five instances when the court nullifies delegated legislation. (10 marks)
- (b) In relation to the law of succession, outline five conditions necessary for the validity of gifts in contemplation of death. (10 marks)

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