

Name _____ Index No. _____ / _____

2918/302
 TOURISM LAW
 November 2015
 Time: 3 hours

Candidate's Signature _____

Date _____



THE KENYA NATIONAL EXAMINATIONS COUNCIL

**DIPLOMA IN TOUR GUIDING MANAGEMENT
 MODULE III**

TOURISM 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 SEVEN questions.
 Answer any FIVE questions in the spaces provided in this question paper.
 All questions carry equal marks.
 Do NOT remove any pages from this question paper.
 Candidates should answer the questions in English.*

For Examiner's Use Only

Question	1	2	3	4	5	6	7	TOTAL SCORE
Candidate's 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.

1. (a) Explain **six** reasons why parliament delegates law making authority. (12 marks)
- (b) Explain **four** types of jurisdiction that may be exercised by the courts. (8 marks)
2. (a) Explain **six** elements of a valid contract. (12 marks)
- (b) Explain **four** ways in which the High court may exercise its supervisory jurisdiction over the subordinate courts. (8 marks)
3. (a) Outline **six** grounds on which an employee may be summarily dismissed from employment by an employer. (12 marks)
- (b) Willy Ndira, a driver of Wissy Tourism Agency, transports tourists from Nairobi to the Masai Mara National reserve and back. On one such trip, he transported seven persons of Swedish Nationality to Maasai National Game Reserve. While the tourists ate lunch, Willy decided to drive to his home, some 25 kilometres away from the Mara. As he was driving back, an accident occurred and the visitor's luggage that had been left in the vehicle was stolen. The visitors are aggrieved and intend to sue Wissy Tourism Agency for damages.
Explain the legal principles in this case. (8 marks)
4. (a) Explain **six** circumstances under which an insurance contract may be terminated. (12 marks)
- (b) Outline **four** functions of the hotel and restaurant Authority. (8 marks)
5. (a) Explain **five** illegal contracts. (10 marks)
- (b) Swift Tours insured its vehicles with a complex insurance company Ltd. A vehicle driven by a drunken driver hit one of the insured's vehicles from behind, rendering it a write off. The value of the vehicle hit at the time of the accident was Ksh.850,000.
 - (i) Explain **three** legal principles applicable in this case.
 - (ii) Explain the rights of both the insured and the insurer. (10 marks)
6. (a) Explain **five** categories of law. (10 marks)
- (b) Explain **five** defences available to an aggrieved person in nuisance. (10 marks)
7. (a) Explain **four** ways in which underage sex exploitation may be minimised in the tourism industry. (8 marks)
- (b) Outline **six** duties that an employee owes an employer. (12 marks)