



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

CITY CAMPUS

MAIN EXAMINATION

JANUARY – APRIL 2015 TRIMESTER

FACULTY OF LAW

EVENING PROGRAMME

CLS 308: CONSUMER PROTECTION LAW

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Date: April 2015

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

Q1. A number of pay televisions service providers have been selling their products to consumers in Kenya on the assurances that apart from the subscribed channels, they would also carry free-to-air television station services. However for the last three weeks a number of local broadcasting on analogue platforms have been switched off.

Many consumers have been affected by the switch off. They feel that they were duped into buying set-off boxes that are useless without these television stations switched off. They have approached you for advice on:-

- a) What constitutional rights have been violated by the switch-off and also by the operators of the cable televisions? How could they seek redress?
(15 marks)
- b) From the Consumer Protection Act of 2012, what are the other rights of consumers?
(10 marks)

Q2. Describe unfair and restrictive trade practices as provided for under the Consumer Protection Act, 2012 and Kenya Competition Act as revised in 2012.
(20 marks)

- Q3. What can Kenya learn from the consumer protection practices of the common markets? **(20 marks)**
- Q4. The Kenya Bureau of Standards (KEBS) and the Communication Authority of Kenya (CA) should act in the interest of the consumer. To what extent have these bodies so acted? **(20 marks)**
- Q5. The civil society has played a pivotal role in furthering the protection of consumers in Kenya. Illustrate. **(20 marks)**

END