



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

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MAIN EXAMINATION

AUGUST - DECEMBER 2016 TRIMESTER

FACULTY OF COMMERCE

DEPARTMENT OF MARKETING AND MANAGEMENT

EVENING PROGRAMME

CMM 112: PRINCIPLES OF COMMERCIAL LAW

Date: DECEMBER 2016

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

- Q1. a) Critically analyze the essential elements of a valid contract. **(14 Marks)**
- b) Explain the following principles of law:
- i. Doctrine of Estoppel. **(4 Marks)**
 - ii. Nemo dat quod non habet. **(4 Marks)**
 - iii. Ex turpicausa non oritur Actio. **(4 Marks)**
- Q2. a) Illustrate the court structure in Kenya and describe the courts therein. **(10 Marks)**
- b) Define offer. Explain the rules of an offer with decided cases. **(10 Marks)**
- Q3. a) Discuss the various ways in which agency can be created and also explain how agency can be terminated **(10 Marks)**
- b) What are the characteristics of a negotiable instrument? **(10 Marks)**
- Q4. a) Explain the essential contents of a partnership deed. **(10 Marks)**
- b) Explain factors which may vitiate a contract with decided cases. **(10 Marks)**

END