



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

MAIN EXAMINATION

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AUGUST - DECEMBER 2016 TRIMESTER

FACULTY OF COMMERCE

DEPARTMENT OF MARKETING AND MANAGEMENT

REGULAR / ODEL PROGRAMME

CMM 112: PRINCIPLES OF COMMERCIAL LAW

Date: DECEMBER 2016

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

- Q1. a) Describe the principle and subsidiary sources of law in Kenya
(10arks)
- b) Analyze the essential elements of a valid contract. (10 marks)
- c) With the help of examples, explain the different types of criminal and civil wrongs. (10 marks)
- Q2. a) Illustrate the court structure in Kenya and describe the courts therein
(10 marks)
- b) Discuss any four duties of partners as stipulated in the Partnership Act
(10 marks)
- Q3. a) Explain the following concepts of law:
i) Nemo dat quad non habet (4 marks)
ii) Negotiable instruments (4 marks)
iii) Ex Turpi causa non orbiturActio (4 marks)
- b) Explain the options available to the innocent party in case of breach of a valid contract. (8 marks)
- Q4. a) Discuss the ways in which agency is created (10 marks)
- b) Describe the duties and rights of an agent (10 marks)

END