



# THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

**A. M. E. C. E. A**

**MAIN EXAMINATION**

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**AUGUST - DECEMBER 2018 TRIMESTER**

**FACULTY OF COMMERCE**

**DEPARTMENT OF MARKETING AND MANAGEMENT**

**REGULAR PROGRAMME**

**CMD 083: COMMERCIAL LAW**

**Date: DECEMBER 2018**

**Duration: 2 Hours**

**INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions**

- Q1. [a] What is commercial law? **3marks**
- [b] what are the components of business law? **8marks**
- [c] Give the meaning and characteristics of property law? **9marks**
- [d] Give the meaning and characteristics of sale of goods? **6marks**
- [e] Discuss the rights of unpaid seller? **4marks**
- Q2. [a] Define negotiable instruments and briefly elaborate on its special characteristics? **10marks**
- [b] While giving the definitions of mercantile transactions. Explain the essential elements of mercantile transactions? **10marks**
- Q3. [a] Who is a common carrier? What is meant by the statement that at common law he is the insurer of goods. **10marks**
- [b] Give the rights and duties of a common carrier of goods? **10marks**
- Q4. [a] A contract is an agreement between two parties enforceable by law to do or to abstain from doing something, discuss this under the following heads
- i) Property laws **3marks**

- ii) Sale of goods **3marks**
- iii) Negotiable instrument **3marks**
- iv) Rights of the seller **3marks**

[b] Define higher purchase and give a detailed explanations of its nature? **8marks**

- Q5. [a] The law of partnership is an extension of the law of principle and urgency. Explain? **4marks**
- [b] State different types of partners? **8marks**
- [c] State different ways on how a firm is dissolved? **8marks**

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