



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A MAIN EXAMINATION

JANUARY – APRIL 2019 TRIMESTER

FACULTY OF LAW REGULAR PROGRAMME CLS 104: CONTRACTS I

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Date: APRIL 2019

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

Q1. Telemundo put an internet advertisement promising to give one million dollars to the first three persons running barefoot in the 2019 Kericho Marathon. Subsequently the following claims have been received:

- a) Kiatu finished this race with one shoe after losing the other halfway;
- b) Watha was pulled out halfway by the doctors after developing painful blisters;
- c) Muhetu ran the whole race barefoot but died two metres from the finishing line.

Provide appropriate legal advice to the advertiser (Telemundo) regarding the contractual validity of the above claims. **(30 marks)**

Q2. Discuss one example of express intention and one example of implied intention to create legally valid contractual relationship. **(20 marks)**

Q3. Identify two requirements for sufficient consideration in legal contracts and then comment on the Promissory Estoppel created by Central London Property Trust Ltd vs High Trees House Ltd [1947] KB 130. **(20 marks)**

Q4. Provide a detailed analysis of any two Contractual Terms below:

- a) Express Conditions;
- b) Express Warranties;
- c) Implied Conditions;
- d) Implied Warranties.

(20 marks)

Q5. Describe the legal definition and application of the doctrine of Privity of Contract and then provide two (2) statutory exceptions to this doctrine.

(20

marks)

END