

EXAMINATION FOR CERTIFICATE

CCM 1103

COMMERCIAL LAW

INSTRUCTIONS

Answer question ONE and any other TWO questions.

QUESTION ONE

- a. In respect to Article to of the Constitution and Section 3of the Judicature Act, explain the various sources of law in Kenya (10 mks)
- b. Differentiate between the following classifications of law (8 mks)
 - i. Public law and private law
 - ii. Domestic law and international law
 - iii. Substantive law and procedural law
 - iv. Public international law and private international law
- c. Highlight the various jurisdictions of courts in Kenya (12 mks)

QUESTION TWO

- a. “For any contract to be valid, some basic elements must be present. Absence of any of these elements will make a contract either void or voidable.....” Based on this statement, explain any FIVE essential elements of a valid contract. (10 mks)
- b. Discuss the various ways through which a contract can terminate (10 mks)

QUESTION THREE

- a. Explain any FIVE conditions implied under the Sale of Goods Act (10 mks)
- b. Explain any FIVE rights of unpaid seller under a sale of goods contract (10 mks)

QUESTION FOUR

- a. “An agent owes the principal some duties and also has some rights bestowed on him by law. Once there is an agency relationship, it can terminate either by act of parties or operations of law” Discuss this statement (20 mks)

QUESTION FIVE

- a. Explain the various duties of a partner towards each other (10 mks)
- b. Explain the various legal requirements of a Hire Purchase Agreement (10 mks)