



**COURSE CODE: DBA 1108**

**COURSE TITLE: COMMERCIAL AND ADMINISTRATIVE LAW**

**YEAR: 2018**

**SESSION: MAY - AUGUST 2018**

**SPECIAL EXAM**

**LECTURER: RITA MATI**

**ANSWER QUESTION ONE AND ANY OTHER TWO**

**Question 1 (30mks)**

- a) Briefly explain what partnership is. (4mks)
- b) State and explain what partnership is then further elaborate the five elements of partnership. (8mks)
- c) Discuss the following law of maxim as captured in the sale of good contract. (6mks)
  - a) Nemo quad non Habet
  - b) Caveat Emptor
- d) Briefly explain what you understand by the term condition and warranty in the contract of sale of goods. Give three of their differences (6mks)
- e) What is the difference between administrative law and Commercial law (6mks)

**Question 2(20mks)**

- a) State and discuss in details the five types of insurance giving examples using your own understanding. (10mks)
- b) State and explain at least five elements of an insurance contract. (10mks)

**Question 3**

- a) It is very important for individuals to be insured. Name and explain the principles of insurance. (10mks)

- b) Explain in details what a Judgement lien is citing examples to support your answer. (10mks)

**Question 4**

- a) Explain in details the differences between a condition and a warranty. (10mks)  
b) There are seven conditions that are implied by the act of contract of sale. Name and explain them in details. (10mks)

**Question 5 (20mks)**

- a) State and explain what you understand by the term lien in law. (4mks)  
b) Briefly explain the two types of Lien in Law. (4mks)  
c) In Law how does an unpaid seller lose his/her Lien? Name and discuss the three ways (12mks)