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KIRIRI WOMENS' UNIVERSITY OF SCIENCE AND TECHNOLOGY
UNIVERSITY EXAMINATION, 2022/2023 ACADEMIC YEAR
FOR THE DIPLOMA IN HOSPITALITY MANAGEMENT
DHM 1624-LAW RELATED TO HOSPITALITY INDUSTRY

Date: 20th April 2023

Time: 4.00pm-6.00pm

INSTRUCTIONS:

ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS

QUESTION ONE (30 MARKS)

- a) Law refers to rules that govern a country/state and enforced by a sovereign political authority. Outline the various purposes of law in Kenya. (6 marks)
- b) Distinguish between a valid, voidable and void contract. (6 marks)
- c) Describe the three techniques of arbitration. (6 marks)
- d) Restaurateurs have a duty to their customers as well as their employees. Highlight duties of a restaurateur towards employees. (6 marks)
- e) The Court Martial is tasked with cases involving the military in Kenya. Outline cases that can be tried at the Court Martial. (6 marks)

QUESTION TWO (20 MARKS)

- a) Your former classmate at Kiriri Women's University is working at the Reals Hotel as a supervisor and wants to terminate her contract because she wants to travel abroad for greener pastures. As a reminder, explain to her the various ways in which a contract can be terminated. (10 marks)
- b) Law is built from various sources. Examine the sources of law in Kenya. (10 marks)

QUESTION THREE (20 MARKS)

- a) It is the practice of the hospitality industry to resort to arbitration rather than litigation. Explore the distinction between arbitration and litigation. (10 marks)
- b) Matilda and Joan want to start a restaurant as partners. Explain to them the advantages of partnership in the hospitality industry. (10 marks)

QUESTION FOUR (20 MARKS)

- a) A tort means a civil wrong and this includes negligence, defamation, trespass, nuisance, passing-off e.t.c. Explain the ingredients of defamation. (10 marks)
- b) Criminal cases are different from civil cases in their approach, conduct and outcome. Explore the difference between criminal and civil cases. (10 marks)

QUESTION FIVE (20 MARKS)

- a) Your best friend has been sued in a civil court for non-payment of a loan owed to a bank. With the aid of a diagram, explain to your friend the hierarchy of the court system in Kenya to ascertain whether she has been sued in the right court. (10 marks)
- b) With the aid of a case study, explain the tort of negligence. (10 marks)