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**KIRIRI WOMENS' UNIVERSITY OF SCIENCE AND TECHNOLOGY**  
**UNIVERSITY EXAMINATION, 2023/2024 ACADEMIC YEAR**  
**FIRST YEAR, FIRST SEMESTER EXAMINATION**  
**FOR THE DIPLOMA IN ACCOUNTING**  
**DBA 1108: COMMERCIAL AND ADMINISTRATIVE LAW**

Date: 7<sup>TH</sup> DECEMBER 2023  
Time: 8:30AM-10:30AM

**INSTRUCTIONS TO CANDIDATES**

**ANSWER QUESTION ONE (COMPULSORY) AND ANY OTHER TWO QUESTIONS**

**QUESTION ONE (30 MARKS)**

- a) State the duties of a bailee as found in commercial law. (6 Marks)
- b) Distinguish between a common carrier and a private carrier. (6 Marks)
- c) Differentiate between condition and warranty. (6 Marks)
- d) Explain the advantages of partnership as stipulated in the partnership act. (6 Marks)
- e) Outline the duties of the deputy public prosecutor. (DPP) (6 Marks)

**QUESTION TWO (20 MARKS)**

- a) Discuss the conditions in which contract of guarantee is terminated. (5 Marks)
- b) Explain the Rights of a common carrier. (7 Marks)
- c) State the disadvantages of arbitration. (8 Marks)

**QUESTION THREE (20 MARKS)**

- a) Explain the rights of a guarantor as found in law. (6 Marks)
- b) Distinguish between:
  - i) Common law and equity (6 Marks)
  - ii) Statute law and judicial precedent (8 Marks)

**QUESTION FOUR (20 MARKS)**

- a) Enumerate the characteristics of negotiable instruments. (6 Marks)
- b) Discuss the types of partners. (6 Marks)
- c) Analyze ways in which an insurance contract may come to an end. (8 Marks)

**QUESTION FIVE (20 MARKS)**

- a) Explain the major types of insurance. (6 Marks)
- b) Discuss the characteristics of a partnership. (8 Marks)
- c) Explain the essential types of contracts in sales. (6 Marks)