



CAMS LEVEL I

INTRODUCTION TO LAW AND ETHICS

MONDAY: 17 May 2021.

Time Allowed: 3 hours.

Answer any THREE questions in SECTION I and any TWO questions in SECTION II. ALL questions carry equal marks.

SECTION I

QUESTION ONE

- (a) Distinguish between "constitutional law" and "administrative law". (4 marks)
- (b) Discuss five remedies available to a plaintiff in a civil action against a defendant. (10 marks)
- (c) Describe the following types of judicial precedents:
- (i) Declaratory precedent (2 marks)
 - (ii) Original precedent. (2 marks)
 - (iii) Distinguishing precedent. (2 marks)

(Total: 20 marks)

QUESTION TWO

- (a) (i) Define the term "statute". (2 marks)
- (ii) Highlight four categories of bills that might be presented to parliament to be enacted into law. (8 marks)
- (b) With the aid of a well labelled diagram, describe the structure of courts in Kenya. (10 marks)

(Total: 20 marks)

QUESTION THREE

- (a) Examine four ways in which citizenship acquired by a person through registration might be revoked. (8 marks)
- (b) With reference to law of torts:
- (i) Explain the term "tort". (2 marks)
 - (ii) List three elements of a wrong that constitutes a tort. (3 marks)
- (c) (i) Describe four duties of the seller with regard to delivery of goods under the Sale of Goods Act. (4 marks)
- (ii) Enumerate three instances where the buyer is deemed to have accepted goods under the Sale of Goods Act. (3 marks)

(Total: 20 marks)

QUESTION FOUR

- (a) Outline five ways in which a contract could be discharged by operation of the law. (5 marks)
- (b) With reference to validity of contracts:
- (i) Explain the term "consideration". (2 marks)
 - (ii) Summarise four rules which govern the doctrine of consideration. (8 marks)

- (c) The registration of a limited partnership shall be effected by sending by registered post or delivering to the registrar of companies a statement signed by the partners.

With reference to the above statement, outline five contents of the statement submitted to the registrar of companies.

(5 marks)

(Total: 20 marks)

SECTION II

QUESTION FIVE

- (a) Examine five characteristics of moral standards in a society. (10 marks)

- (b) (i) Explain the term "business ethics". (2 marks)

- (ii) Argue four cases in support of ethics in business. (8 marks)

(Total: 20 marks)

QUESTION SIX

- (a) Examine five examples of potential conflicts of interest at the workplace. (10 marks)

- (b) Explain the following types of whistleblowing:

- (i) Organisational whistleblowing. (2 marks)

- (ii) Public whistleblowing. (2 marks)

- (c) Outline six grounds or reasons for whistleblowing. (6 marks)

(Total: 20 marks)

QUESTION SEVEN

- (a) With relevant examples, analyse five categories of values. (10 marks)

- (b) With reference to Ethics and Anti-Corruption Commission (EACC) No.22 of 2011, explain five roles of EACC. (10 marks)

(Total: 20 marks)

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