



**CPA FOUNDATION LEVEL**

**CS FOUNDATION LEVEL**

**CCP FOUNDATION LEVEL**

**INTRODUCTION TO LAW AND GOVERNANCE**

**TUESDAY: 5 April 2022. Morning paper.**

**Time Allowed: 3 hours.**

**Answer any FIVE questions. ALL questions carry equal marks. Do NOT write anything on this paper.**

**QUESTION ONE**

- (a) With specific reference to the sale of goods law;
- (i) Identify three reasons why it is important to determine when property in goods passes. (3 marks)
  - (ii) List five remedies available to a buyer in a sale of goods contract. (5 marks)
- (b)
- (i) Define the meaning of the term “tribunal”. (2 marks)
  - (ii) Describe five types of jurisdiction of Courts in your country. (10 marks)
- (Total: 20 marks)**

**QUESTION TWO**

- (a)
- (i) In relation to negotiable instruments, discuss five duties of a collecting bank. (5 marks)
  - (ii) Highlight five circumstances under which a partnership might be dissolved by the Court. (5 marks)
- (b)
- (i) Identify two types of defamation. (2 marks)
  - (ii) Explain four ingredients to be proved in the defense of fair comment in an action for defamation. (4 marks)
  - (iii) Explain two defenses other than fair comment that are applicable in the tort of defamation. (4 marks)
- (Total: 20 marks)**

**QUESTION THREE**

- (a)
- (i) Define a “code of ethics”. (2 marks)
  - (ii) Discuss four ways through which a code of ethics can be enforced in a place work. (8 marks)
- (b) Outline four ways in which a surety might be discharged from a contract of guarantee. (4 marks)
- (c) In relation to the law of property, explain the meaning of the following terms:
- (i) Fee simple. (2 marks)
  - (ii) Fee tail. (2 marks)
- (d) Describe two ways in which absolute proprietorship is created. (2 marks)
- (Total: 20 marks)**

**QUESTIONS FOUR**

- (a) Discuss five potential disadvantages of litigation over alternative forms of dispute resolution. (10 marks)
- (b) Describe five ways in which an offer might be terminated. (10 marks)
- (Total: 20 marks)**

**QUESTION FIVE**

- (a) (i) Outline two types of on-site legal audit processes that might be used during data collection. (2 marks)
  - (ii) Highlight two disadvantages of a legal audit. (4 marks)
  - (iii) Outline four attributes required of a legal auditor. (4 marks)
  - (b) (i) Examine four salient features that define the Supremacy of the Constitution of a country. (8 marks)
  - (ii) Highlight two ways in which a Kadhis Court might apply Islamic law. (2 marks)
- (Total: 20 marks)**

**QUESTION SIX**

- (a) Describe six rights of a principal whose agent makes a secret profit or takes a bribe from a third party with whom he contracts on behalf of the principal. (6 marks)
  - (b) Distinguish between “statutory corporations” and “limited companies”. (6 marks)
  - (c) With reference to the Law of Insurance:
    - (i) Outline six basic principles that must be met in insurance. (6 marks)
    - (ii) Identify two types of marine policies. (2 marks)
- (Total: 20 marks)**

**QUESTION SEVEN**

- (a) With reference to negotiable instruments, explain four parties to a bill of exchange. (8 marks)
  - (b) With reference to administrative law:
    - (i) State six principles of natural justice. (6 marks)
    - (ii) Highlight three principles that will guide the Court in determining the presence of bias in the decision of an administrative body. (6 marks)
- (Total: 20 marks)**
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