

CHUKA



UNIVERSITY

## UNIVERSITY EXAMINATIONS

### EXAMINATION FOR THE AWARD OF DIPLOMA IN PROCUREMENT AND LOGISTICS

**DPLM 0151: PROCUREMENT LAW**

**STREAMS: Y1S2**

**TIME: 2 HOURS**

**DAY/DATE: THURSDAY 06/12/2018**

**2.30 P.M – 4.30 P.M**

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#### INSTRUCTIONS

- Answer question one and any other two questions

- (a) Discuss the roles of procurement committees applicable in the procurement. [10 marks]
  - (b) Discuss the application of the following procurement methods clearly highlighting their minimum and maximum threshold as per the regulations. [15 marks]
    - (i) Open
    - (ii) Two stage
    - (iii) Restricted
    - (iv) Request for
    - (v) Direct procurement
  - (c) When is a stipulation in a contract of sale regarded as a condition and when as a warranty. [5 marks]
- (a) Discuss the major procurement law reforms in Kenya. [10 marks]
  - (b) (i) State four rules of a valid offer. [2 marks]
  - (ii) State four rules of a valid consideration. [2 marks]
  - (c) Under the sale of goods act, explain the circumstances under which a buyer may reject the goods and repudiate the contract. [6 marks]
- (a) Explain the duties of an agent to the principal. [5 marks]

- (b) In business contracts, there are certain elements of a contract that must be obtained for a contract to be enforceable. Outline such elements. [5 marks]
- (c) Describe the historical development of public procurement in Kenya. [10 marks]
4. (a) Public procurement is regulated by various bodies. Explain the roles of each of these bodies. [15 marks]
- (b) Discuss the rule of Nemo dat quad non habet and explain the exemptions to it. [5 marks]
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