

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS

EXAMINATION FOR THE AWARD OF CERTIFICATE IN PROCUREMENT AND LOGISTICS MANAGEMENT

CPLM 00112: PROCUREMENT LAW

STREAMS: CPLM Y1S2

TIME: 2 HOURS

DAY/DATE: FRIDAY 06/12/2019

2.30 P.M. –4.30 P.M.

INSTRUCTIONS:

- Answer question ONE and any other TWO questions.

QUESTION ONE

- (i) Public procurement is regulated by various bodies. Discuss the roles of the following bodies.
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| (a) The National treasury | (3 marks) |
| (b) The County government | (3 marks) |
| (c) Public Procurement Regulatory Authority | (3 marks) |
| (d) Public Procurement Regulatory Board | (3 marks) |
| (e) Public Procurement Administrative Review Board | (3 marks) |
- (ii) State and explain 5 elements of a valid contract. (10 marks)
- (iii) Differentiate between a sale and an agreement to sell. (5 marks)

QUESTION TWO

- (i) Discuss the historical development of public procurement in Kenya. (10 marks)

- (ii) Creation of agency can be done in various ways. Enumerate the various ways in agency creation. (10 marks)

QUESTION THREE

- (i) Performing of the procurement function requires involvement of committees. List down the roles of committees applicable in public procurement. (10 marks)
- (ii) Discuss the various classes of agents applicable in the law of agency. At least 5 classes. (10 marks)

QUESTION FOUR

- (i) Under the sale of good Act, the general rule is that no one can give what he has not. This rule is expressed by the maxim, 'Nemo dat quad non habet'. State and explain the distinct exceptions to this rule. (10 marks)
- (ii) Enumerate the basic principles of insurance. (10 marks)
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