

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS

THIRD EXAMINATION FOR THE AWARD OF DEGREE OF BACHELOR OF COMMERCE (PROCUREMENT AND LOGISTICS OPTION) AND BACHELOR OF PROCUREMENT AND LOGISTICS MANAGEMENT

BPLM 315: PROCUREMENT LAW

STREAMS: BPLM Y3S2/BCOM YY3S2 (ODEL)

TIME: 2 HOURS

DAY/DATE: FRIDAY 12 /4/2024

11.30 A.M. –1.30 P.M.

INSTRUCTIONS:

1. Answer Question One and any other Two
2. Do not write anything on this question paper
3. Be clear and neat, give examples where appropriate

QUESTION ONE (30 MARKS)

- (a) Explain any FIVE procurement methods used by public Entities to procure goods, services and works using the latest dispensed procurement legal framework Public Procurement and Asset Disposal Act 2015 (PPADA 2015). (10 marks)
- (b) Explain the rule of *nemo dat quod non habet* (no one can pass a better title than he himself possesses) and the various exceptions to the rule. (10 marks)
- (c) Explain various reasons for embracing insurance principles in Kenya. (10 marks)

QUESTION TWO (20 MARKS)

- (a) Discuss various implied warranties in the sale of goods Act. (10 marks)
- (b) Discuss the Historical development of public procurement in Kenya. (10 marks)

QUESTION THREE (20 MARKS)

Using examples describe the following concepts in relation to procurement Law.

- (a) Transfer of property. (4 marks)
- (b) Asset disposal methods (4 marks)

- (c) Procurement committees (4 marks)
- (d) Accounting officer roles (4 marks)
- (e) Public procurement reforms in Kenya (4 marks)

QUESTION FOUR (20 MARKS)

- (a) Describe the Tendering process as formulated in public procurement Law. (10 marks)
- (b) The consumer protection bill, 2007 codifies and consolidates consumer laws in Kenya to prevent unfair trade practices in consumer transactions. Discuss the Provisions of consumer protection clearly highlighting the major Rights of consumers as detailed in the bill. (10 marks)

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