



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

FIRST YEAR EXAMINATION FOR THE AWARD OF
THE DIPLOMA OF LAWS
SECOND SEMESTER, 2023/2024
(JANUARY-APRIL, 2024)

DLAW 0127: LEADERSHIP AND INTEGRITY LAW

STREAM: Y1 S2

TIME: 2 HOURS

DAY: MONDAY, 12:00 – 2:00 P.M.

DATE: 15/04/2024

INSTRUCTIONS

- 1. Do not write anything on this question paper.**
- 2. Answer Question ONE and any TWO other Questions.**
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.**

QUESTION ONE

(a) Emily Mbugua, Charity Makarios and Willis Omondi who are students at Maarifa School of Law have been tasked with an assignment touching on how the Corruption menace is tackled globally. Having been taught the Leadership and Integrity course, they have approached you on how to tackle this assignment. In the said assignment, they have been directed to make reference to the relevant United Nations Convention specifically dealing with corruption.

- i.** State the said United Nations Convention. **(2marks)**
- ii.** State and discuss with them at least four major provisions/chapters of the said United Nation Convention aimed at combating Corruption among member states. **(8 marks)**

(b)Nabwera, Mark and Melan have been invited to attend a forum of Leadership at Pili Pili Kali Institute. The have been tasked to prepare a presentation touching on the guiding principles of Leadership and Integrity. They have approached you to be enlightened on the issues pertaining to Leadership and Integrity because of your expertise in that area.

- i. Discuss with them the guiding principles of leadership and integrity as envisaged in the Constitution of Kenya, 2010. **(8marks)**
- ii. They equally intimate to you that they would like to know how to identify a good leader. State and discuss with them at least eight major qualities of a good leader. **(8 marks)**

(b) With relevant legal backing discuss the legal position on gifts received by public officers during public functions as well as the provision of having bank accounts outside Kenya. **(4 marks)**

QUESTION TWO

a) You have been invited to attend and participate in seminar on Governance at Malimwengu School of Governance. Prepare a **detailed** draft for presentation covering the following:-

- i. Definition of good governance **(2 marks)**
- ii. Principles/characteristics of good governance **(6 marks)**

b) Define corruption **(2 marks)**

c) State and discuss the major forms of Corruption and Economic Crimes as provided for under the Anti-Corruption and Economic Crimes Act, 2003. **(10marks)**

QUESTION THREE

(a) Kamatu and Nicole have been invited to attend a seminar on **Corruption Menace and its Effects** at Mali Safi Chito Institute. The seminar is slated for 1.5.2024 at the famous “**Mbarikiwa Hall**” within the said institution. They have been requested you to focus their presentation on the relationship between corruption and development as well as the relationship between corruption and poor leadership. Having been taught a course on corruption, they have approached you for guidance.

Prepare a detailed presentation focusing on the two areas as requested by Kamatu and Nicole being;

- i. The relationship between corruption and development. **(8 marks)**
- ii. The relationship between corruption and poor leadership. **(8 marks)**

b) Define the following:-

- (i) Integrity **(2 marks)**
- (ii) Leadership **(2 marks)**

QUESTION FOUR

- a)** Discuss the major functions of the Ethic and Anti-Corruption Commission as far as combating the corruption menace in Kenya is concerned. **(6 marks)**
- b)** Outline and discuss the qualities of integrity. **(6 marks)**
- c)** The national values and principles are the key drives for the proper and effective implementation of the Constitution of Kenya, 2010.

In line with the above, outline and discuss at least eight national values and principles in the promotion of the spirit of the constitution, good governance as well as the promotion of the requirements under Chapter six of the Constitution of Kenya, 2010 on leadership and integrity. **(8 marks)**

QUESTION FIVE

- a) Outline and discuss at least eight major objectives of leadership. **(8 marks)**
- b) There are various statutes/laws governing the law on proper leadership.
- a. State at least two relevant statutes. **(2 marks)**
- b.** discuss the major salient provisions of the two statutes. **(10 marks)**