



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

SPECIAL EXAMINATIONS
FIRST YEAR EXAMINATION FOR THE AWARD OF THE
DIPLOMA IN LAWS
FIRST SEMESTER, 2021/2022
(FEBRUARY - JUNE, 2022)

DLAW 0113: ELEMENTS OF CONTRACT

STREAM: Y1 S1

TIME: 2 HOURS

DAY: FRIDAY, 8:00 – 10:00 A.M.

DATE: 29/07/2022

INSTRUCTIONS

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

QUESTION ONE

- (a) Define the following terms [10 marks]
- i. Offer
 - ii. Invitation to Treat
 - iii. Revocation
 - iv. Voidable Contracts
 - v. Unconscionable contracts
- (b) Discuss how courts approach the question of intention to create legal relations with particular regard to social agreements and business agreements [20 marks]

QUESTION TWO

Hassan is in serious thoughts about his two weeks offer, and he feels the offer is not yielding his much-intended purpose and he's now contemplating withdrawing it, though he is afraid of the legal implications. He has approached you for legal advice. Explain to him all the rules governing the revocation of offers. [20marks]

QUESTION THREE

All Contracts are Agreements but not All Agreements are Contracts. Discuss.

[20marks]

QUESTION FOUR

Discuss FIVE ways in which an Offer can be distinguished from an Invitation to Treat (I.T.T). [20marks]

QUESTION FIVE

Discuss the rule established in Pinnel's Case and its exceptions. [20marks]