



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

SPECIAL EXAMINATIONS
THIRD YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
SECOND SEMESTER, 2021/2022
(FEBRUARY - JUNE, 2022)

LLBK 321: LAW OF BUSINESS ASSOCIATIONS II

STREAM: Y3 S2

TIME: 2 HOURS

DAY: THURSDAY, 11:30 – 1:30 P.M.

DATE: 28/07/2022

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) Critically analyse four principles of cooperatives bringing forth any statutory provisions that give life to each of the identified principles (12 marks)
- (b) Identify and discuss six statutory functions of the general meeting of cooperatives (18 marks)

QUESTION TWO

Identify and discuss any four legislative provisions intended to make the Limited Liability Partnerships attractive for professional engagements (20 marks)

QUESTION THREE

Liquidating a Company is a draconian step which as the Retired Justice Kwach in Matic General Contractors Limited (Supra) said amounts to 'corporate execution'. See also the case of KENYA POWER AND LIGHTING COMPANY LIMITED VS. NATIONAL CEREALS & PRODUCE BOARD (2002) 1 KLR 652, Ringera J (as he then was) likened it to 'passing a death sentence on an individual.

In light of the statement above, identify and discuss four alternatives to liquidation under the Insolvency Act of Kenya.

QUESTION FOUR

With the aid of concrete examples and case laws, explain the statutory basis for SASRA (Sacco Societies Regulatory Authority) (20 marks)

QUESTION FIVE

The partner is an agent of the partnership; and the acts of the partner would be binding of the partnership. Discuss at least four exceptions to the agency rule in partnership

(20 marks)