



**CAMS LEVEL I**

**INTRODUCTION TO LAW AND ETHICS**

**TUESDAY: 26 November 2019.**

**Time Allowed: 3 hours.**

**Answer any THREE questions in SECTION I and any TWO questions in SECTION II. ALL questions carry equal marks.**

**SECTION I**

**QUESTION ONE**

- (a) In the context of classification of law:
- (i) Define the term “private law”. (2 marks)
  - (ii) List four types of law which fall under the classification in (a) (i) above. (4 marks)
- (b) Explain three elements of the tort of negligence. (6 marks)
- (c) Jones Bati has been accused of defaming his colleague. (8 marks)
- Describe four defenses available to Jones Bati for the above tort. (8 marks)
- (Total: 20 marks)**

**QUESTION TWO**

- (a) With reference to the law of contract:
- (i) State six rules governing consideration in a contract. (6 marks)
  - (ii) Highlight three remedies for breach of contract. (6 marks)
- (b) Explain the following four types of judicial precedents:
- (i) Original precedent. (2 marks)
  - (ii) Declaratory precedent. (2 marks)
  - (iii) Binding precedent. (2 marks)
  - (iv) Persuasive precedent. (2 marks)
- (Total: 20 marks)**

**QUESTION THREE**

- (a) Explain five types of jurisdiction that the High Court in your country has. (10 marks)
- (b) (i) Identify two entitlements of a citizen in your country. (2 marks)
- (ii) Highlight four reasons why citizenship acquired by registration might be revoked. (8 marks)
- (Total: 20 marks)**

**QUESTION FOUR**

- (a) With specific reference to sale of goods:
- (i) Highlight three rights of the seller against the goods. (6 marks)
  - (ii) Explain three exceptions to the “Nemodat” rule. (6 marks)
- (b) Identify four permits that are issued by a county government for newly formed businesses. (8 marks)
- (Total: 20 marks)**

**SECTION II**

**QUESTION FIVE**

- (a) Define the following categories of ethical theories:
    - (i) Meta ethics. (2 marks)
    - (ii) Normative ethics. (2 marks)
    - (iii) Applied ethics. (2 marks)
    - (iv) Descriptive ethics. (2 marks)
  - (b) Identify six examples of ethical norms in business. (6 marks)
  - (c) List six areas where professional accountants can whistle blow. (6 marks)
- (Total: 20 marks)**

**QUESTION SIX**

- (a) Summarise six values and principles of public service enshrined in the Constitution of your country. (6 marks)
  - (b) Explain two circumstances under which a public officer might be considered to have committed sexual harassment. (4 marks)
  - (c) Describe five advantages of a code of ethics. (10 marks)
- (Total: 20 marks)**

**QUESTION SEVEN**

- (a) Explain five circumstances under which a member of a professional institute is guilty of professional misconduct. (10 marks)
  - (b) Describe five fundamental principles a professional is required to comply with. (10 marks)
- (Total: 20 marks)**
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