

THE KENYA SCHOOL OF LAW



PRE-BAR EXAMINATION

THE LAW OF CONTRACT – PRB 002

9TH JANUARY, 2023

DURATION: 3 HOURS

2.00 PM – 5.00 PM

Instructions to Candidates

- (a) Answer Question **ONE** and any other **THREE** Questions
- (b) Each Question carries **25** marks.
- (c) Marks shall be lost for illegible handwriting

PLEASE TURN OVER

QUESTION ONE:

A contract must have a set of elements to be considered enforceable. Discuss this statement with relevant examples. **(25 marks)**

QUESTION TWO:

Discuss the five ways in which an offer can be terminated. **(25marks)**

QUESTION THREE:

a) Highlight the various contracts that must be in writing. **(15 Marks)**

b) Distinguish between an offer and an invitation to treat with the aid of relevant law. **(10 marks)**

QUESTION FOUR:

Write short notes on the following.

i. Express and implied contracts **(5 Marks)**

ii. Void and voidable contracts. **(5 Marks)**

iii. Contracts of *uberrima fides*. **(5 Marks)**

iv. Consideration. **(5 Marks)**

v. Counter-offer. **(5 Marks)**

QUESTION FIVE:

a) Discuss four (4) remedies for breach of contract. **(15 Marks)**

b) Highlight the various types of misrepresentation under the law of contract. **(10 Marks)**

QUESTION SIX:

Explain the various elements that can vitiate the validity of contract. **(25 Marks)**

END