

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)
2ND YEAR TERM II UNITS, 2026 EXAMINATION

INTRODUCTION TO ENVIRONMENTAL LAW PTP 208
SPECIAL EXAMINATION

10th APRIL, 2026

DURATION: 2 HOURS

10.00 AM – 12.00 PM



Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION ONE

The residents of Tambarare Village, led by their local community leader Mama Clean, have approached your law firm, Wasafi Justice LLP, regarding the operations of Chuma Ngumu Ltd, a metallurgical plant located on L.R. No. Nairobi Block/0/001. The plant sits upstream from the community's primary water source, the Mtoni River.

The residents have documented the following grievances:

- a. **Water Contamination:** The plant has been discharging untreated liquid effluent directly into the Mtoni River, turning the water a dark metallic hue and causing the death of local fish species.
- b. **Air Quality:** Thick, pungent smoke is emitted from the factory 24 hours a day, leading to a spike in respiratory illnesses among children in the neighboring primary school.
- c. **Procedural Lapses:** It has emerged that Chuma Ngumu Ltd obtained an Environmental Impact Assessment (EIA) license without public participation, they never conduct an Annual Environmental Audit, nor do they have an effluent discharge license under the Environmental Management and Coordination (Water Quality) Regulations, 2024.
- d. **Lack of Transparency:** When the community requested for a copy of the EIA study report from NEMA under Article 35 of the Constitution of Kenya, and the Access for information Act to verify whether Chuma Ngumu Limited conducted public participation and what mitigation measures were put in place, they were told the documents in their custody were "confidential" and unavailable for public viewing.

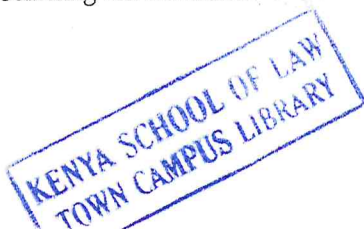
The community have lodged a formal complaint with the National Environment Management Authority (NEMA) and the Water Resources Authority (WRA), demanding an immediate shut-down of the plant and a restoration of the river ecosystem.

Questions

- a) Identify and explain three (3) principles of sustainable development that are being violated by Chuma Ngumu Ltd or can be relied upon by the residents of Tambarare Village. (6 Marks)
- b) Explain the legal avenues and mechanisms through which the residents of Tambarare Village may enforce their Right to a Clean and Healthy Environment under the Kenyan legal framework. (9 Marks)
- c) Assuming the residents of Tambarare Village are successful in their petition before the Environment and Land Court (ELC), discuss three (3) specific remedies the Court may grant under Article 70(2) of the Constitution to redress the environmental damage. (5 Marks)
- d) If the Director-General of NEMA refuses to cancel Chuma Ngumu Ltd's license despite the community's evidence, advise the residents of Tambarare Village on the jurisdiction and powers of the National Environment Tribunal (NET) in this matter. (5 Marks)

QUESTION TWO

A multinational company intends to establish a large-scale mining project in Kenya. Preliminary assessments indicate that the project may have significant impacts on local communities, natural resources and the surrounding environment.



The company's Board of Directors has sought professional advice on how to ensure compliance with Kenya's environmental laws.

As an Environmental Officer, advise the company on how the **Polluter Pays Principle** and the **Precautionary Principle** should guide its decision-making, planning, and operational processes. In your answer, make reference to relevant provisions of Kenyan environmental law and explain the practical steps the company should take to remain legally compliant and socially responsible.

(15 Marks)



QUESTION THREE

Sustainable development is a central concept in environmental law and policy at both the national and international levels. It guides governments, corporations, and communities in balancing economic growth, environmental protection, and social welfare.

- Define sustainable development. (5 Marks)
- Explain five key principles of sustainable development, illustrating your answer with relevant examples. (10 Marks)

QUESTION FOUR

"The 2010 Constitution of Kenya is often referred to as a 'Green Constitution' because it elevates environmental protection from a mere policy issue to a fundamental human right."

- Discuss the significance of **Article 42** of the Constitution of Kenya 2010 in the context of individual rights. (3 Marks)
- Under **Article 69**, the State has several obligations regarding the environment. Identify and explain four (4) of these obligations. (8 Marks)
- Explain the duty imposed on every person in Kenya regarding environmental conservation as per **Article 69(2)**. (4 Marks)

QUESTION FIVE

A local community in a coastal town discovers that a new cement factory has begun operations without conducting an EIA. The factory is emitting thick dust that is covering local crops and causing respiratory issues in children. The community wants to sue, but the factory manager claims that since the activists filing the suit don't live next to the factory, they have no right to be in court.

- Identify the rights of the residents being violated by the Factory. (2 Marks)
- Advise the community on whether the activists have **Locus Standi** (legal standing) to sue, citing the relevant Article of the Constitution. (3 Marks)
- Discuss the role of **Public Participation** in this scenario and whether its absence makes the factory's operations illegal. (4 Marks)

- d) Propose three (3) measures the residents can take to compel the Factory to comply with air quality standards, including the possible use of Alternative Dispute Resolution (ADR). (6 Marks)

QUESTION SIX

Effective environmental management requires robust laws, institutions and clear enforcement pathways.

- a) Discuss the relevance of constitutional provisions, statutory enactments, international law, judicial precedent, and traditional practices in modern environmental management. (5 Marks)
- b) Discuss the core functions of the National Environment Management Authority (NEMA) as the principal instrument of the Government in environmental matters. (4 Marks)
- c) Briefly explain the role of county governments in environmental governance. (2 Marks)
- d) Distinguish between the jurisdiction of the Environment and Land Court (ELC) and the National Environment Tribunal (NET). (4 Marks)

END

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL TRAINING PROGRAMME)

EXAMINATION - SECOND YEAR TERM 2, 2025

INTRODUCTION TO ENVIRONMENTAL LAW- PTP 208

20th NOVEMBER, 2025



DURATION: 2 HOURS

2.00 PM – 4.00 PM

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION ONE (25 Marks)

a) The Kenyan legal system for environmental governance is anchored in the **Constitution of Kenya, 2010**, widely regarded as a 'Green Constitution' due to its comprehensive inclusion of environmental rights and state obligations, and is supported by a distinct legal hierarchy, core principles, and an elaborate institutional framework.

i. Explain the hierarchy of sources of environmental law in Kenya, detailing the relationship between the Constitution, statutes (such as EMCA), and other sources (such as international treaties and customary law). (5 Marks)

ii. Discuss the Constitutional basis of environmental protection in Kenya, citing relevant Articles of the supreme law. (5 Marks)

b) Outline the distinct roles and functions of the following key administrative and legislative entities in environmental governance:

i. National Environment Management Authority (NEMA) (2 Marks)

ii. National Government (Ministries/State Departments) (2 Marks)

iii. County Government (2 Marks)

c) Critically analyse the application and integration of the principles of sustainable development within Kenya's domestic legal and regulatory framework, making reference to relevant laws and planning tools. (9 Marks)

QUESTION TWO (15 Marks)

1) Discuss the legal mechanisms for environmental management and enforcement in Kenya. In your answer, clearly **distinguish between a Strategic Environmental Assessment (SEA) and an Environmental Impact Assessment (EIA)** (8 Marks)

2) Analyze the distinct **mandates and functions of the Environmental and Land Court (ELC) and the National Environment Tribunal (NET)** in environmental law enforcement (7 Marks).

QUESTION THREE (15 Marks)

The County Government of Jawabu has failed to provide any organized waste collection services. Waste is openly dumped and burned, causing severe air and water pollution in nearby communities.

Based on this scenario, advise the residents on their legal recourse. Your advice must clearly identify the specific **constitutional and statutory rights and obligations** that have been breached by the County Government, discuss the residents' **locus standi** (legal standing) to institute a suit against the County Government, and detail the **legal remedies** they may successfully seek from the Environment and Land Court. (15 Marks)

QUESTION FOUR (15 Marks)

- a) The **Constitution of Kenya, 2010** is celebrated for its strong environmental provisions, granting rights and establishing clear mechanisms for judicial redress.
- i. State and explain the full text of the right to a clean and healthy environment as provided under Article 42 of the Constitution of Kenya, 2010. **(3 Marks)**
 - ii. Briefly explain two specific ways in which this right promotes public participation and access to environmental information in Kenya. **(4 Marks)**
- b) Discuss the key features of the Enforcement of Environmental Rights under Article 70 of the Constitution, detailing the primary legal remedies (or reliefs) that the Environment and Land Court (ELC) can grant to a person whose right to a clean and healthy environment has been, is being, or is likely to be violated. **(8 Marks)**

QUESTION FIVE (15 Marks)

A multinational company proposes to set up a large-scale mining project in Kenya that may affect local communities and the environment.

As an environmental law consultant, advise the company on the legal requirements for managing environmental risk. Your advice should cover the practical application of the **Polluter Pays Principle (PPP)**, the **Precautionary Principle (PP)**, and explain how the mandatory **Environmental Impact Assessment (EIA) process** serves as the primary legal and operational mechanism for ensuring the company complies with both principles. **(15 Marks)**

QUESTION SIX (15 Marks)

A group of environmental activists sues the County Government of Natu and NEMA for allowing industries to discharge untreated effluent into a river, causing fish deaths and documented health issues among the locals.

- a) Discuss in detail whether the environmental activists have locus standi (legal standing) to institute the suit against a government agency and the County Government under the Bill of Rights in the Constitution of Kenya, 2010. **(5 Marks)**
- b) Identify and explain two key legal principles (besides Locus Standi) that the Environment and Land Court is likely to apply when determining the question of liability and environmental harm. **(6 Marks)**
- c) Suggest four (4) specific, mandatory orders the Environment and Land Court may issue to remedy the situation and ensure the river is restored to its natural state. **(4 Marks)**

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM III - SPECIAL / SUPPLEMENTARY EXAMINATIONS

INTRODUCTION TO ENVIRONMENTAL LAW - PTP 208

10TH APRIL 2025

DURATION: 2 HOURS

INSTRUCTIONS TO CANDIDATES

- a) Answer Question **ONE** and **ANY OTHER THREE** Questions.
- b) Question **ONE** is **MANDATORY** and carries **25 marks**
- c) All other questions carry **15 marks each**

PLEASE TURN OVER

Question One

- a) Discuss the jurisdiction of the special court and tribunal under the Kenyan Judicial System that handles legal disputes relating to environment. (15 Marks)
- b) Discuss the institutional framework for the management of energy sector in Kenya. (10 Marks)

Question Two

- a) Discuss TWO (2) self-regulatory approaches used to encourage environmental conservation. (5 Marks)
- b) Discuss the legal and institutional framework on climate change in Kenya. (10 Marks)

Question Three

Explain the process of obtaining environmental Impact Assessment (EIA) license in Kenya. (15 Marks)

Question Four

Using FIVE (5) examples, discuss how the environment can be protected under the law of torts. (15 Marks)

Question Five

Discuss FIVE (5) principles of sustainable development. (15 Marks)

Question Six

Discuss the mandate of the following institutions:

- a) National Environment Management Authority. (7 Marks)
- b) National Water Harvesting and Storage Authority. (4 Marks)
- c) Pest Control Products Board. (4 Marks)



END

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM II EXAMINATIONS

INTRODUCTION TO ENVIRONMENTAL LAW – PTP 208

21ST NOVEMBER, 2024



DURATION: 2 HOURS

2.00 PM – 4.00 PM

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION ONE

- (a) With the help of a well-labelled diagram followed by a well-reasoned written explanation, discuss the **STRUCTURE** and **ENVIRONMENTAL JURISDICTION** of the Kenyan judicial system. (10 Marks)
- (b) Discuss the historical development of environmental Law in Kenya in doing so, discuss notable decided cases laws which contributed to the jurisprudence of environmental law in Kenya. (10 Marks)
- (c) Discuss the role of the United Nations Environment Programme (UNEP) in global environmental affairs. (5 Marks)

QUESTION TWO

Define the term 'Sustainable Development' and thereafter, with the aid of decided court cases and other laws, **DISCUSS** at least **SEVEN (7)** principles of sustainable development. (15 Marks)

QUESTION THREE

Write short notes on the **FUNCTIONS** and **POWERS** as provided under the applicable laws for **ANY THREE (3)** of the following institutions: (15 Marks)

- (a) National Water Harvesting and Storage Authority.
- (b) Energy and Petroleum Regulatory Authority (EPRA).
- (c) Pest Control Products Board (PCPB).
- (d) Kenya Nuclear Regulatory Authority (KNRA).
- (e) National Climate Change Council.

QUESTION FOUR

Write short notes on any **THREE (3)** of the following concepts found in environmental law. (15 Marks)

- (a) The right to a clean and healthy environment.
- (b) The right to clean and safe water in adequate quantities.
- (c) The use of taboos in the protection and conservation of the environment.
- (d) Notable drivers of environmental degradation in Kenya.
- (e) '*Locus standi*' to file a suit founded on environmental / law.

QUESTION FIVE

DISCUSS the jurisdiction of the National Environment Tribunal (NET) with reference to various pieces of legislation. (15 Marks)

QUESTION SIX

Define each concept and then distinguish between the following concepts in environmental law. **ANY FIVE (5)**. (15 Marks)

- (a) Social aspects of climate change and environmental aspects of climate change.
- (b) Renewable energy and non-renewable energy.
- (c) Inter-generational equity and intra-generational equity.
- (d) Sustainable development and sustainable use.
- (e) Territorial sea and the exclusive economic zone.
- (f) Environmental Impact Assessment and Environmental Audit
- (g) Infectious waste and radioactive waste.

END

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM II EXAMINATION

INTRODUCTION TO ENVIRONMENTAL LAW - PTP 208

SPECIAL EXAMINATIONS

9th MAY 2024

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION 1

(a) Discuss at least **FIVE (5)** sources of law on the environment. (10 Marks)

(b) Write brief explanatory notes on any **THREE (3)** of the following concepts in environmental law:

- i. Renewable Energy
- ii. Protection of the ozone layer
- iii. Noise Pollution control
- iv. African Customary Law as a source of environmental law
- v. Control of Pesticides

(9 Marks)

(c) Outline at least **SIX (6)** notable drivers of environmental degradation in Kenya.

(6 Marks)

QUESTION 2

State the brief facts, final decision of the court and the implication of the following landmark cases in Environmental Law.

Select any **THREE (3)**

- a) Tribunal Appeal No. Net 196 of 2016
Save LAMU & Others-vs- NEMA & Others (AMU POWER CASE) (2019 eKLR)
- b) KM (Minor suing through mother and next friend SKS) and others-vs-Attorney General and Others (Owino Uhuru Case)
- c) Wangari Maathai & Others-vs- City Council of Nairobi and Others HCCC No. 72 of 1994
- d) Mohamud IL Tarakwa Kochale & Others-vs- Lake Turkana Wind Power & Others (2018 eKLR)
- e) ELC Petition No. 43 of 2019 – Isaiah Luyaro Odando & Another-vs- NEMA, Nairobi County Government and Others

(15 Marks)

QUESTION 3

(a) Article 2(6) of the Constitution of Kenya 2010 states that: “Any Treaty or Convention ratified by Kenya shall form part of the law of Kenya under this constitution.” In light of the above statement list at least **TEN(10)** treaties or conventions in the area of Environmental Law in Kenya.

(10 Marks)

(b) List at least **FIVE (5)** overriding principles applicable internationally in the sustainable management, protection and conservation of the environment.

(5 Marks)

QUESTION 4

(a) Distinguish amongst the following **FOUR (4)** groups of related concepts in Environmental Law. (in distinguishing select any two questions)

(i) In Water Law and Policy (sedimentation, eutrophication and acidification)

(6 Marks)

(ii) In theoretical foundations underpinning environmental rights (anthropocentrism, ecocentrism and bicentrism)

(6 Marks)

iii) Under mechanism provided for management, protection and conservation of the environment under the Environment Management and Coordination Act (environmental restoration orders, environmental conservation orders and environmental casements). (6 Marks)

iv) Under the area of climate change (the social impacts of climate change, environmental impacts of climate change and economic impacts of climate change). (6 Marks)

(b) Discuss the institutional framework for Management of climate change in Kenya. (3 Marks)

QUESTION 5

(a) Discuss any **FIVE (5)** mechanisms provided in the Environmental Management and Coordination Act, No. 8 of 1999 for the Management, Protection and Conservation of the environment. (15 Marks)

QUESTION 6

"The Law of Tort has its place in environmental affairs in Kenya. Considering this, discuss the implications of Law of Tort with environmental law whilst discussing remedies in Tort which are applicable in environmental disputes in Kenya."

(15 Marks)

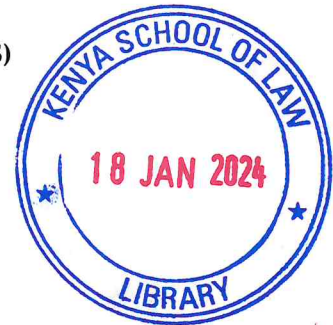
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THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM II EXAMINATION



INTRODUCTION TO ENVIRONMENTAL LAW - PTP 208

18TH JANUARY, 2024

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER



QUESTION 1

- (a) **EXPLAIN FIVE (5)** aims and objectives of environmental law. (5 Marks)
- (b) **DISCUSS** the right to a clean and healthy environment, as provided for in Kenyan law whilst citing sources of the law in which the right is enshrined. (10 Marks)
- (c) **DISCUSS** the historical development of environmental law in Kenya noting to point out landmark cases and other laws. (10 Marks)

QUESTION 2

DISCUSS FIVE (5) principles of sustainable development as set out under the Environmental Management and Coordination Act (EMCA) 1999. (15 Marks)

QUESTION 3

- (a) Explain at least **FIVE (5)** categories of medical wastes which are generated during the provision of healthcare, bio-medical research or manufacture of healthcare, veterinary or pharmaceutical products. (10 Marks)
- (b) Outline **THREE (3)** environmental restoration orders and **TWO (2)** environment conservation orders as provided for under the Environmental Management and Coordination Act (EMCA) 1999. (5 Marks)

QUESTION 4

- (a) **DISCUSS** at least **FIVE (5)** institutions involved in the: management, development and conservation and conservation of water sector in Kenya. (10 Marks)
- (b) Outline **FIVE (5)** problems encountered while managing in solid waste management in Nairobi County. (5 Marks)

QUESTION 5

- (a) **DISCUSS** at least **FIVE (5)** laws which form part of the legal framework governing the energy sector in Kenya. (10 Marks)
- (b) Write short notes on land use regulation and planning in Kenya. (5 Marks)

QUESTION 6

- (a) **DISCUSS** the facts, the findings and the implications of any **TWO (2)** of the following landmark court cases in Environmental Law:
- Wangari Maathai – Vs – Kenya Times Media Trust Limited. (1989) eKLR.*
 - KM and 9 others - Vs - Attorney General and 7 others (2020) eKLR (Owino-Uhuru Case).*
 - Save Lamu and 5 others – Vs – National Environmental Management Authority (NEMA) and Another (2019) eKLR.*
 - Muhamud Iltarakwa Kochale & 4 others – Vs- Lake Turkana Wind Power Ltd & 4 Others (Meru ELC Case No. 163 of 2014).*
- (b) Using **FIVE (5)** examples, outline religion as a source of environmental law. (5 Marks)

END



THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM II EXAMINATION



INTRODUCTION TO ENVIRONMENTAL LAW - PTP 208

16TH MARCH, 2023

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION 1

- (a) Section 2 of the Environmental Management and Coordination Act, Act No. 8 of 1999, defines "Sustainable Development" to mean development that meets the needs of the present generation without compromising the ability of future generations to meet their needs by maintaining the carrying capacity of the supporting ecosystems. In view of the above definition, give a **DETAILED EXPLANATION** of at least FIVE (5) principles of sustainable development recognized under Kenyan law. (20 Marks)
- (b) With the help of your knowledge of Environmental Law, **DEFINE** the following terms:
- (i) Biodiversity; (1 Mark)
 - (ii) Environmental Impact Assessment (EIA); (1 Mark)
 - (iii) Intergenerational Equity; (1 Mark)
 - (iv) Hazardous Waste; and (1 Mark)
 - (v) Climate Change. (1 Mark)

QUESTION 2

- (a) **DISCUSS** at least FIVE (5) different mechanisms provided for the management, protection and conservation of the environment under the Environmental Management and Coordination Act, Act No. 8 of 1999. (15 Marks)

QUESTION 3

Write short notes on any FIVE (5) of the following concepts in Environmental Law: -

- (a) The positive and negative effects of the Covid-19 Pandemic on the environment;
- (b) The importance of Environmental Law in Kenya;
- (c) The contribution of the United Nations Environmental Programme (UNEP) in the protection, management and conservation of the environment;
- (d) The sources of renewable energy in Kenya;
- (e) The importance of public participation during an Environmental Impact Assessment (EIA);
- (f) The objects and functions of the National Environment Management Authority (NEMA) as provided in the Environmental Management and Coordination Act, Act No. 8 of 1999 (EMCA); and
- (g) The social, economic and environmental impacts of the ban on single-use plastic carrier bags in Kenya. (15 Marks)

QUESTION 4

- (a) Briefly **DISCUSS** at least five (5) different pieces of legislation concerned with the regulation of the energy sector in Kenya. (10 Marks)
- (b) **DISCUSS** the facts and the decision of the court in any ONE (1) of the following landmark cases in Environmental Law.
- i. *Wangari Maathai – Versus – Kenya Times Media Trust Limited. (1989) eKLR.* (5 Marks)
 - ii. *KM (Minor Suing through Mother and Best-Friend SKS) and 9 others (suing on their behalf and on behalf of all the residents of Owino-Uhuru Village in Mikindani, Changamwe Area Mombasa) – Versus – The Honourable attorney General and 7 others (2020) eKLR.* (5 Marks)
 - iii. *Save Lamu and others – Versus – National Environmental Management Authority and AMU Power company Limited Tribunal Appeal No. NET 196 of 2016.* (5 Marks)

QUESTION 5

DISCUSS the functions of at least **THREE (3)** institutions created by the Water Act, Act No. 43 of 2016 for the management of water resources in Kenya. **(15 Marks)**

QUESTION 6

(a) **DEFINE** the term 'sources of law' and then discuss at least **FIVE (5)** sources of Environmental Law in Kenya. **(15 Marks)**

END



THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM II EXAMINATION



INTRODUCTION TO ENVIRONMENTAL LAW - DPS 207

29TH MARCH, 2022

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question ONE and ANY OTHER THREE Questions
- (b) Question ONE carries 25 Marks
- (c) All other questions carry 15 Marks each

PLEASE TURN OVER

QUESTION 1

AAR Hospital Limited has recently opened a new 140 bed hospital with both inpatient and outpatient facilities. The Hospital is located along Kiambu Road adjacent to a residential area known as Muthaiga – North Gated Community within Nairobi County. The Hospital has learnt that you have studied environment law at the Kenya School of Law and has approached you for advice on the following, based on their understanding that a project such as their hospital can be detrimental to the environment:

- (a) The various mechanisms established for the management, protection and conservation of the environment under the Environment Management and Coordination Act of 1999 (EMCA). (10 marks)
- (b) The legal provisions for the management of toxic and hazardous chemicals, wastes and substances under EMCA specifically:
 - (i) Medical waste; (2 marks)
 - (ii) Radioactive substances; (2 marks)
 - (iii) E-waste; and (2 marks)
 - (iv) Pest control. (2 marks)
- (c) Discuss the concept of land-use planning under Kenyan law. (4 marks)
- (d) Explain the importance of having a robust regime of environmental law to a country such as Kenya. (3 marks)

QUESTION 2

- (a) Discuss the historical development of environmental law in Kenya. (5 marks)
- (b) There are certain overriding principles that can be gathered from various sources of law in Kenya. With reference to such sources of law, discuss any THREE (3) of the following principles of sustainable development / environmental law:
 - (i) Prevention principle
 - (ii) Polluter –pays principle
 - (iii) Principle of cultural and social principles traditionally applied in Kenyan communities.
 - (iv) Principle of inter-generational equity
 - (v) Precautionary principle. (10marks)

QUESTION 3

Discuss the legal and institutional framework for the management of water resources and control of water pollution in Kenya. (15 marks)

QUESTION 4

- (a) With the help of specific examples from decided cases, legislation and other sources of law, discuss the protection of the environment under the law of tort. (10 marks)
- (b) Explain the social, environmental, economic and other impacts of climate change. (5 marks)

QUESTION 5

Write short notes on any **THREE (3)** of the following:

- (a) Particulate Matter (PM); (5 marks)
- (b) Ozone layer; (5 marks)
- (c) Renewable energy; and (5 marks)
- (d) Notable drivers of environmental degradation. (5 marks)

QUESTION 6

- (a) Discuss the institutional framework for management of the energy sector in Kenya. (9 marks)
- (b) Discuss the current state of the solid waste disposal sector in Nairobi City County. (6 marks)

END



