

THE KENYA SCHOOL OF LAW



DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2<sup>ND</sup> YEAR TERM III EXAMINATION

LAW OF OTHER BUSINESS ASSOCIATIONS (DPS-211)

22<sup>nd</sup> OCTOBER 2020

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 One

Cooperatives are no longer strictly member economic welfare entities but are increasingly becoming dynamic and serious business economic enterprise contenders competing with corporations and partnerships in equal measure in Kenya's contemporary times.

Critically analyze **ten (10)** items a cooperative society's constitution.

(25 marks)

### Question Two

Regardless of whether a partner plays an active part in the management of the partnership business, each partner enjoys such rights and is subject to such obligations as are expressly stipulated in the partnership deed. In reference to the above, discuss **five (5)** rights of a partner in any partnership agreement. (15 marks)

### Question Three

Cooperatives and their members have rights, obligations, duties and liabilities firmly entrenched in the Kenya Legislation, rules and by-laws. Critically discuss and analyze **five (5)** rights and **five (5)** duties of members.

(15 marks)

### Question Four

Discuss the liability of incoming, outgoing and deceased partners.

(15 marks)

### Question Five

Discuss the following in relation to cooperatives:

- a) Co-operation among co-operatives. (5 marks)
- b) Factors that may prevent the registrar from registering a Co-operative Society. (5 marks)
- c) Disputes that can be settled in the Co-operative Tribunal. (5 marks)

### Question Six

- a) Explain **five (5)** ways through which a co-operative society can cease to exist. (15 marks)
- b) Outline **five (5)** grounds for dissolution of a partnership by the court. (5 marks)

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END

