



MURANG'A UNIVERSITY OF TECHNOLOGY

SCHOOL OF HOSPITALITY AND TOURISM MANAGEMENT

DEPARTMENT OF HOSPITALITY & TOURISM MANAGEMENT

UNIVERSITY ORDINARY EXAMINATION

2020/2021 ACADEMIC YEAR

**SECOND YEAR SECOND SEMESTER EXAMINATION FOR, DIPLOMA IN
HOSPITALITY MANAGEMENT**

DHM 067–HOSPITALITY LAW

DURATION: 2 HOURS

Instructions to candidates:

1. Answer question One and Any Other Two questions.
2. Mobile phones are not allowed in the examination room.
3. You are not allowed to write on this examination question paper.

SECTION A: ANSWER ALL QUESTIONS IN THIS SECTION

QUESTION ONE (30 MARKS)

- a) Read the following case study and answer the questions that follow:

Case study 1

Kari Renfoe was employed as a room attendant at the lodge inn Hotel. One day as she came to work, she discovered an expensive leather jacket stuffed inside a plastic shopping bag in the employee section of the parking lot. The jacket had no ownership markings on it and neither did the plastic bag. Kari turned the jacket over to the manager of the hotel despite the fact that there was no policy in place regarding items found outside the hotel. The jacket remained unclaimed for 120 days later, at which time Kari approached the manager and asked if she could have the jacket since she found it. The manager refused to give Kari the jacket stating that all unclaimed property found on the premises belonged to the hotel.

Questions;

- i. Would the jacket be considered mislaid, lost or abandoned property? (2marks)
 - ii. Who is the current owner of the jacket? (2marks)
 - iii. How could the hotel manager avoid future confusion about handling found property? (4marks)
- b) **Case study 2**
- A few months ago there were reports in the media about theft cases in popular Nairobi restaurants. During these incidences guests would arrive for lunch at the restaurant and unfortunately get robbed, unknowingly by thieves masquerading as patrons.
- #### **Questions;**
- i. Whose responsibility is it to ensure the security of guest properties? (2marks)
 - ii. Is the restaurant liable for the theft of the guest property? If yes explain. (2marks)
- c) Explain the term international law. (2marks)
- d) Summarise eight matters that are dealt with under international law. (4marks)
- e) With reference to nature and classification of law, differentiate between the following:
- i. Procedural law and substantive law. (2marks)
 - ii. Civil burden of proof and criminal burden of proof. (2marks)
- f) State any three sources of written law in Kenya. (3marks)
- g) In relation to sources of law explain the meaning of 'supremacy of the constitution'. (5marks)

SECTION B – ANSWER ANY TWO QUESTIONS IN THIS SECTION

QUESTION TWO (20 MARKS)

- a) Define the term contract. (2marks)
- b) Discuss five essentials of a valid contract. (10marks)
- c) Describe any four types of contracts used in the hospitality industry. (8marks)

QUESTION THREE (20 MARKS)

- a) Explain the following law terms:
 - i. Tort
 - ii. Duty of care
 - iii. Vicarious liability
 - iv. Negligence (8marks)
- b) Using a flow chart, illustrate the organisation and the jurisdiction of the Kenya courts system. (6marks)
- c) Describe the process followed to enact laws in parliament. (6marks)

QUESTION FOUR (20 MARKS)

- a) Describe the circumstances an innkeeper may deny service to a guest. (10marks)
- b) Explain five rights of a guest in a hotel. (10marks)