

10

KIBABII UNIVERSITY



**UNIVERSITY EXAMINATIONS
SPECIAL/SUPPLEMENTARY EXAMS
2020/2021 ACADEMIC YEAR
FOURTH YEAR SECOND SEMESTER**

FOR THE DEGREE OF BACHELOR OF COMMERCE

COURSE CODE: BCP 427

COURSE TITLE: PROCUREMENT LAW & ETHICS

DATE: 18/01/2022

TIME: 11.00AM – 1.00PM

INSTRUCTIONS TO CANDIDATES

- 1) Answer Question **ONE**(Compulsory) and **ANY OTHER TWO** Questions
 - 2) Candidates must hand in their answer booklets to the invigilator while in the examination room
 - 3) Credit is given for legibility, clarity and use of relevant examples
 - 4) Question **ONE** is **30 marks** while Questions **2-5** carry **20 marks** each
 - 5) Clearly write your **Registration Number** on each answer sheet used
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TIME: 2 Hours

KIBU observes ZERO tolerance to examination cheating

QUESTION ONE

- a) Outline the Role of regulatory bodies in Public Procurement in Kenya (20 marks)
- b) Account for the Penalty clauses that can be invoked in a breached contract (10 marks)

QUESTION TWO

- a) Explain the differences between a 'condition' and a 'warranty' in a contract. (10 marks)
- b) Describe THREE different implied terms that derive from the Sale of Goods Act, 1979. (10 marks)

QUESTION THREE

Explain FIVE different roles of the procurement function in an organisation when setting up purchase agreements. (20 marks)

QUESTION FOUR

- a) Explain the circumstances under which contracts may be terminated. (12 marks)
- b) Explain the Remedies for breach of a contract (8 marks)

QUESTION FIVE

- a) Explain the Best Practices in a Procurement Officer can execute in in Nzoia Sugar Company (10 marks)
- b) What are the reasons for unethical behavior in Contract Negotiations (5 marks)
- c) What are the consequences of unethical conduct in Contract Negotiations (5 marks)