



KENYATTA UNIVERSITY

EXAMINATION FOR THE DEGREE OF BACHELOR OF LAWS

LPR 303: LEGAL AND LEGISLATIVE DRAFTING

2ND SEMESTER 2020/2021

TIME: 2 Hours

INSTRUCTIONS:

1. ANSWER ALL QUESTIONS.
2. Support your answer with illustrations from relevant case law, statutory provisions and any other applicable references.
3. Write neatly and legibly.
4. Your answers script must bear your student registration number.
5. Do not scribble or draft answers on the inner or outer cover pages of your answer booklets.
6. Do not write anything except your registration number on this question paper

Question 1

A distraught Margaret enters your office one cold July morning and in between sobs, she narrates how Sylvia, through her crafty and crooked lawyer, one Cliff, are trying to swindle her off her property. From the disjointed utterances, you gather that Margaret and Sylvia entered into an agreement for sale on the 12th September 2019 where Margaret was to sell Sylvia half an acre of land which was to be excised from Margaret's five acres in Karen. Sylvia was to pay Margaret the full amount of Two million for the half acre to enable Margaret undertake the excising exercise. Margaret tells you that Sylvia assured her that she did not need a lawyer since Cliff, being a top-notch lawyer, would represent them both. Margaret further tells you that Sylvia paid the Two million purchase price as agreed and the next thing that Margaret knows, she is being served with a court order to vacate her five acres of land which she allegedly sold to Sylvia and which the court transferred to her after Margaret 'refused' to transfer.

A teary Margaret shoves to you some pieces of paper and from the disjointed and convoluted information contained therein, you are able to discern that indeed a sale agreement was entered into but that the Two million was inserted as the purchase price for the entire portion of land. You also see the letter of offer is for half an acre for two Million. Margaret swears that she was never served with any court documents, other than the court order.

- a) As a legal drafter, comprehensively explain the qualities and skills needed to deal with Margaret's case. [10 Marks]
- b) Draft a detailed opinion explaining all the legal issues that this scenario raises and the steps that Margaret needs to take to protect her land. [20 Marks]

Question 2. Carefully read the following passage and answer the questions below:

as you are aware we are an organization which offers research services to a variety of clients we therefore contact research in many fields depending on the demands of our clients Dear sir we have recently received urn application from you and father received your references? Seeking employment. You have been shot listed for the second stage of the vetting process! Our research entrails looking at the human rights violations of pupil in police sells when arrested on heroine charges. We require you to provide an application an indicative budget and let as know if you know any sauces of funding'' We need you to explain in a for page latter which should rich us not letter than September 20th 2021.

- a) Identify and explain 10 (ten) drafting errors in the above passage. [10 Marks]
- b) Correctly draft the passage. [10 Marks].

Question 3.

- a) Describe the purpose of Legislative Sentence in legislative drafting? [10 Marks].
- b) Chronologically describe the salient features that need to be present in the preliminary provisions of a Bill that you have been retained to draft for the Coast County Assembly [10 Marks]

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