



KENYATTA UNIVERSITY

COURSE DESCRIPTION FOR THE DEPARTMENTS OF PRIVATE LAW AND PUBLIC LAW

LPR 104: LEGAL SYSTEMS AND METHODS (CLE CORE)

Introduction to legal systems; classification and concepts of law, Introduction to Kenya's legal system; doctrine of precedent, statutory interpretation, legal education in Kenya; access to legal services; the principal legal systems of the world and their peculiarities (the common law; the civil law; Islamic law); introduction to the legal systems of member states of the East African Community.

LCC 100: THE LAW OF CONTRACT I (CLE CORE)

History and development of contract law; Factors affecting modern contract law including inequality of bargaining power, standard form of contract and consumer protection; elements of formation of contract: Offer, acceptance and consideration; Rules of communication; Contents of contract; Capacity to contract.

LPR 101: SOCIAL FOUNDATIONS OF LAW

Basic introduction to the field of Kenyan legal studies, knowledge of the foundations of law and the legal system in Kenya, sources of law, the structure and function of legal institutions, the process of law-making, the role of law in society, theoretical perspectives concerning the role of law in shaping relationships between individuals and groups as well as relations between the state and society, the ways in which the law may be manipulated to serve particular societal interests, whether law should be considered an effective or desirable method of achieving social change.

LPR 102: LEGAL RESEARCH AND WRITING (CLE CORE)

Introduction to the concepts and sources of law; the law to be applied statutory law, case law, customary law and received English law; Theory and techniques of handling authoritative legal materials; styles and principles of interpretation of law statutory interpretation, case law techniques; Introduction to legal research; how to use the Law Library; legal analysis; case briefing/summary; legal writing; information technology and legal research; writing a legal opinion; Language skills oral expression, listening, reading and writing; referencing and citation skills; preparation for and taking of law examinations.

LPL 102: TORTS 1 (CLE CORE)

The meaning of Tort Law; Nature and Functions of the Law of Tort; Founding a cause of action in tort; Distinctions between tortious liability and other forms of liability; Origins, History and Development of Tort Law; Importation and application of Tort Law to Kenya; General Characteristics of Tortious Liability; Vicarious liability; Joint Liability and Several Tort easers; Government Liability in Tort; General Defences to Tortious Claims; General Remedies in Tort.

LCC 102: LAW OF CONTRACT II

Vitiating factors in Contract (Misrepresentation, Mistake, Illegality, Duress and Undue influence); Discharge of contract- Performance, Frustration, Breach and Agreement; Quasi contracts; Remedies in Contract (Common law remedies- Damages, Restitution of Advanced payments, Quantum Meruit); Equitable remedies- Specific performance, Injunctions, Rescission).

LPL 103: TORTS II

Defamation; Negligence and related causes of action (e.g. liability for tortious misstatements, nervous shock, liability for defective products; occupiers liability, professional negligence and liability for fatal accidents and survival of causes of action); The Law between Neighbours (Nuisance, The Rule in Rylands v Fletcher, and Liability for Animals); Trespass (land, the Person and chattels); Deceit and other wrongful conduct; Current issues on the law of Tort in Kenya.

LPR 106: CONSTITUTIONAL LAW I

Constitutional theory; the nature and place of the constitution in a legal system generally, and in the Kenyan legal system in particular, types of Constitutions, theoretical concepts in constitutional law such as constitutionalism, the rule of law, the doctrine of separation of powers, democracy, legislative supremacy, constitutional supremacy and popular sovereignty; individual freedoms; how these theoretical concepts have been incorporated in the new Constitution and the history of constitution making in Kenya.

LPR 100: CRIMINAL LAW I

Definition of a crime and purpose of Criminal Law; Elements of crime:- Actus reus and mens rea, theories of causation; strict liability; Parties to criminal offences (Principals and secondary offenders, joint enterprise, vicarious liability and corporate liability); Theories and categories of punishment(Death penalty and sentencing policy); general defences (Insanity, Intoxication, Self defence, Necessity and Duress.

LPR 107: ADMINISTRATIVE LAW

To examine the origin and development of the Administrative Law of Kenya, rule of law and theory of separation powers, principles of natural justice, delegated legislation, judicial control, remedies and adjudication of Administrative agencies. Devolved Government structure, powers, duties, liabilities and regulations. The study focuses on the legal and

institutional frameworks, powers and duties of administrative agencies/quasi-judicial studies.

LPR 200: CRIMINAL PROCEDURE

Introduction and background to Kenya's criminal procedure; the structure and various jurisdictional parameters of criminal courts in Kenya; pre-trial procedures; arrests; charges and charge sheets; the role of the Attorney General and the Police in criminal prosecution; the taking of pleas; Bail and bond applications; The trial process; the right to begin; the prosecution's case; the defence case; acquittals under section 87(a) and section 210; the defences case; closing submissions; the judgment; contents of judgments; conviction and sentence; appeals and revision; fundamental issues around Kenya's criminal procedure today.

LPR 201: EVIDENCE I

Core Historical development of the Law of Evidence in Kenya; Sources of the Law of Evidence in Kenya; Fundamental Principles of the Law of Evidence (Facts in issue, admissibility, relevance etc); Facts which must be proved; Facts which need not be proved (estoppels, judicial notice, formal admissions); Opinion evidence; the Rule Against Hearsay; The Doctrine of *Res Gestae*; Evidence of disposition and character; the Course of Evidence (examination-in-chief, cross-examination, re-examination, refreshing memory and production of documents); Burden of Proof; Incidence of the Burden of Proof; the Degrees (Standards) of Proof; Presumptions; Admissions; Confessions.

LPL 200: EQUITY

Genesis and evolution of the principles of equity in England; the place and application of equity in Kenyan law; Equity and the different areas of law (contract, marriage law and other areas); the maxims of equity; equitable remedies.

LPR 207: CRIMINAL LAW II

Introduction and background to Kenya's criminal procedure; the structure and various jurisdictional parameters of criminal courts in Kenya; pre-trial procedures; arrests; charges and charge sheets; the role of the Attorney General and the Police in criminal prosecution; the taking of pleas; Bail and bond applications; The trial process; the right to begin; the prosecution's case; the defence case; acquittals under section 87(a) and section 210; the defences case; closing submissions; the judgment; contents of judgments; conviction and sentence; appeals and revision; fundamental issues around Kenya's criminal procedure today.

LPL 202: FAMILY LAW

Historical development of family law; Marriage and divorce - Elements of a valid marriage; void and voidable marriages; matrimonial reliefs; divorce and separation; the law on matrimonial property; maintenance of spouses and children; custody of children; Inheritance of the property of the deceased spouse(s); Legitimacy; Adoption; Guardianship and affiliation of children.

LPR 206: CONSTITUTIONAL LAW II

This course will principally be on constitutional law and practice. It will entail the salient features of the new (August 2010) Constitution such as citizenship, the bill of rights, land and environment, leadership and integrity, and representation of the people, provisions on special interest groups such as women, children, youth, persons with disabilities, and minorities. Organization, powers and functions of government organs under the new constitution such as the legislature, the executive, the judiciary, constitutional commissions, public service and their relationships *inter se*, constitutional litigation; and rules on constitutional interpretation.

LPL 207: LAW OF PROPERTY IN LAND I

The concept and theory of property; origins and evolution of the law of property; the nature of property rights; the relationship between the state and property rights (restricting the study to land would be limiting the role of theories. It would be proper to explore all property from moveable, immovable, tangible and intangible.)

LPL 203: CIVIL PROCEDURE

Definition and sources of civil procedure; overriding objective and ‘oxygen’ principles; parties to civil suits; structure and jurisdiction of different civil courts; drafting pleadings like plaint, defence, counterclaims; Service of Summons; Pre-hearing procedures; Disposal of suits without trial (summary procedure) the hearing; judgments and decrees; enforcement of orders and decrees; appeals and revision; motions and chamber applications; costs.

LPL 203: EVIDENCE II

Competence of witnesses; Compellability of witnesses; Oaths, Affirmations and Unsworn Evidence; Privilege; Corroboration; Real evidence; illegally obtained evidence and public policy; Improper admission and rejection of evidence; Exclusion of oral by documentary evidence; Bankers books; Entries in books of accounts.

LPL 204: PROFESSIONAL ETHICS AND RESPONSIBILITY

Origins of the Law Profession; effect of Professionalizing the Practice of Law; History and Structure of the Legal Profession in Kenya; Key Definitions in the Legal Profession; Advocacy; Duties of an Advocate to Society; Ethical Standards applicable in Criminal and Civil Litigation; Court Etiquette; Triple duties of an Advocate; Professional Conduct and its role in Advocacy/Society; Advocates Practice Rules – Subsidiary Legislation; Remuneration of Advocates; Advocates Disciplinary Committee; Continuing Legal Education; Changing Trends and Ideologies in the Legal Profession in Kenya and Worldwide.

LPL 205: LAW OF SUCCESSION

Introduction to succession law; Origins and development of the law of succession; the succession law regimes (customary, Islamic, Christian, Hindu and statutory); Succession procedures under the Law of Succession Act; testate succession; testamentary freedom; interstate succession; dependants; probate procedures; gender and succession laws.

LPL 208: LAW OF PROPERTY IN LAND II

Nature and creation of property rights; process of transfer and transmission of property rights; elements of registration systems. The idea is to have the 1st Semester devoted to the teaching of and familiarizing the students with the basic concepts relating to the general property ideology and to the property ideology in land in particular.

LPL 209: CUSTOMARY LAW IN KENYA

Relationship between law and culture; law and ethics; law and cultural values and norms; law and religion; The place of African customary law in Kenya's legal system; customary law and marriage, divorce, inheritance, custody of children and contract; the repugnancy clause; the future of African customary law in Kenya; the place of other customary laws in Kenya's legal system.

LPL 201: ALTERNATIVE DISPUTE RESOLUTION

Methods of alternative dispute resolution; theoretical and practical parameters of mediation and arbitration; negotiation and conciliation skills; client counseling skills; customary alternative dispute resolution structures.

LPR 206: JUDICIAL ATTACHMENT(OUT OF SEMESTER)

This unit will be undertaken after completion of the fourth semester. Under the supervision of a magistrate or judge, students will sit in court for a period of eight weeks. They will follow proceeding and do tasks required of them by the supervising jurist. Additional tasks in the court registries may be given. During the attachment period a member of academic staff will visit the students in the field and file a report on the students' progress. The student will also submit to the School of Law an attachment report at the end of the period of attachment.

Assessment: The Students Written Report will account for 70% of the final mark. Student Log Book kept during attachment, assessment by judicial officer and by member of academic staff will account for 30% of the final mark.

LIL 300: PUBLIC INTERNATIONAL LAW

Nature, origin and development of international law; theories of international law (natural law, positivism etc); sources of public international law; subjects of international law; relationship with municipal law; states (criteria for statehood, acquisition of territory, state succession and state responsibility); diplomatic and consular immunities; jurisdiction; international criminal law; the law of treaties, the law of the sea; air and outer space law; the law on the use of force; international humanitarian law; environmental and natural resources law; international human rights law; international law on refugees and internally displaced persons; intellectual property; international trade law; settlement of international disputes.

LCC 307: LAW OF BUSINESS ASSOCIATIONS I

Fundamental principles of company law ; the nature and classification of companies; the legal personality of companies; lifting the corporate veil; memorandum of association;

articles of association; doctrine of ultra vires; third parties and ultra vires rule; prospectuses; pre-incorporation agreements; corporate personality; membership of a company; holding and subsidiary companies; shares; dividends; share capital; alteration of share capital; borrowing powers and debentures; companies' organs and officers; legal status and duties of directors and promoters; secretary of the company; meetings and resolutions; accounts, audit inspection; insolvency and winding up; reconstruction; mergers and takeovers; areas of reform.

LCC 305: TRUSTS

Origin and the development of the law of trusts; The *sui generis* nature of a trust; The concept of trusteeship; Classification (types) of trusts; *Dramatis Personae*; Formal Requirements for the Creation of a Trust; The Constitution of a Trust; The Legality of the Trust; Void or Voidable Trusts; The administration of a trust; Major Incidents of Trustees Fiduciary Duties; Trust in Civil law and in other jurisdictions; Trust property and investment; Breach of trust; Trusts and Taxation; Trusts in the conflict of laws; Partnership Idea and Partnership Proper: *Intuitu/Delectus Personae*.

LCC 309: COMMERCIAL LAW I

Origins and development of commercial law; Commercial law and sale of goods; Nature and formation of the contract of sale; Duties of the seller; Duties of the buyer; Transfer of property; Remedies of the seller; Remedies of the buyer; Nature and formation of agency contracts; Duties of agent; Duties of principal; Termination of Agency.

LPR 302: ELECTORAL LAW

Basis for elections; the concept of political representation; A global overview of electoral systems plurality systems, absolute majority systems, mixed-member majority systems; types of electoral systems which apply the principle of proportional representation; the electoral system in terms of the Constitution and other laws in Kenya; the law on presidential, parliamentary and county government elections in Kenya; the Independent Electoral and Boundaries Commission(its functions and powers); electoral options for Kenya; Guidelines on local and international election monitoring, Contemporary electoral-reforms in Kenya.

LIL 302: ENVIRONMENTAL LAW

The concept of the environment; principles shaping environmental law and policy; major threats to the Worlds environment today; the law on atmospheric pollution; wildlife; biodiversity; climate change; international watercourses; the marine environment; settlement of environmental disputes; Kenya's environmental law and policy.

LCC 303: INSURANCE LAW

Origins of Insurance Law; its principles and concepts – including *uberima fidel* (utmost good faith, insurable interest, indemnity and proximate cause; the contract of insurance – ingredients, duties of parties; insurance claims and settlement of claims; assessment of damage; Re-insurance; Insurance Regulatory Authority; Areas of reform.

LPL 301: INTELLECTUAL PROPERTY LAW

History; human rights and economic efficiency rationales; copyright; patents and related rights; designs; plant variety protection; trademarks; common law rights; application and grant processes; international, regional and national instruments and institutions; where time allows, discussion of contemporary issues in intellectual property rights, such as biotechnology, development and education.

LPR 300: HEALTH AND THE LAW

Origins and development of the law on health; Sources of the Law on Health; General Principles of Medical (Hospital) Liability; Consent to treatment; Children and Medical Law; Medical Confidentiality; Medical Negligence; the law and protection against sexually transmitted diseases (STD's) and other contagious diseases; Statutory Regulation of healthcare professionals; Current Legal Issues Relating to Health and Healthcare (Abortion and Status of the Foetus, Assisted Reproduction and Surrogacy, Sterilization of patients lacking mental capacity, donation and transplantation of human organs, euthanasia and assisted suicide).

LPL 302: CHILDREN AND THE LAW

The rationale of the special protection of children in law; International instruments on the protection of children; the United Nations Convention on the Rights of the Child and the Protocol on Use of Children in Armed Conflicts; the African Charter on the Rights and Welfare of the Child; the Convention banning child trafficking, child labour and child pornography; Kenyan law on children; the Children's Act; Rights of children born out of wedlock; duties of putative parents; maintenance of children in and out of marriage; custody, legitimacy, and adoption of children; Guardianship and affiliation of children.

LIL 303: CONFLICT OF LAWS

Introduction of conflict of laws/ private international law; jurisdiction (under common law, Kenyan approach, USA, under the Brussels convention) / choice of Forum; the law applicable to contractual and non-contractual obligations, prove of foreign law, recognition and enforcement of foreign judgments; the law of domicile; conflict of laws in property, marriage and divorce.

LPR 301: CLINICAL SEMINAR

This unit will entail students participating in 3-hourly seminars every week, discussing or simulating various topical issues in the legal profession or topical issues in law. The seminars should touch on different issues relating to public law, private law, commercial law and international law. There will be no final examination and the students will be graded on the basis of seminar participation and seminar papers presented individually or in groups during the semester; the method of instruction shall be tutorials and moot courts as opposed to traditional lecture method. Seminar attendance, participation and the written reports will be graded out of 100 marks

LCC 308: LAW OF BUSINESS ASSOCIATION II

Sole proprietorships; Public corporations; the law of partnerships; types of partnerships; formation and dissolution of partnerships; rights and obligations of partners; third parties and the partnership; limits of partnership liability; partnership property; the legal framework for regulating cooperatives in Kenya; cooperative principles, types of cooperatives, formation and dissolution of co-operatives; management of cooperatives; rights and duties of cooperative societies; rights and obligations of members; internal and external dispute resolution; supervision and inspection of registered societies; dissolution of cooperative societies; insolvency of cooperative societies; procedures for payment of secured and unsecured creditors; liquidation and winding up of cooperative societies.

LCC 310: COMMERCIAL LAW II

Origins and evolution of Bankruptcy Law in England and in Kenya; filing a bankruptcy petition; Defences against bankruptcy; Adjudication; Rights of creditors; Priority; The impact of bankruptcy; Areas of reform in bankruptcy law and practice – including modern notions of insolvency. Commercial securities – guarantee, indemnity, international commercial transactions including FOB, CIF etc, the law on hire purchase.

LIL 304: INTERNATIONAL LAW OF THE SEA

Nature, origin and development of international law; theories of international law (natural law, positivism etc); sources of public international law; subjects of international law; relationship with municipal law; states (criteria for statehood, acquisition of territory, state succession and state responsibility); diplomatic and consular immunities; jurisdiction; international criminal law; the law of treaties, the law of the sea; air and outer space law; the law on the use of force; international humanitarian law; environmental and natural resources law; international human rights law; international law on refugees and internally displaced persons; intellectual property; international trade law; settlement of international disputes.

LIL 301: INTERNATIONAL DISPUTE RESOLUTION

Historical evolution of peaceful dispute settlement; nature of international disputes. The legal basis for peaceful resolution of international disputes; methods of settling disputes – negotiation, conciliation, inquiry, mediation, arbitration, judicial methods; international and regional approaches to dispute resolution; the United Nations and dispute resolution; the role of regional organisations with particular emphasis on the African Union (AU) structures for dispute resolution.

LPL 303: ISLAMIC LAW

Historical development of Islamic law; sources of Islamic Law – the Koran, the Sunnah and the Sharia; the four Sunni Schools of Law; Legal institutions; the law of inheritance; the law of marriage, divorce and the family; the law of succession; Acquisition and distribution of wealth; criminal offences; the rules of interpretation and criminal punishment.

LIL 305: EAST AFRICAN REGIONAL LAW

The concept of economic or regional integration; Various levels/types of integration; The history of regional integration in East Africa; Sources of East African Community Law; East

African Community Treaty; East African Community Customs Union (Laws, institutions, coverage etc); East African Community Common Market (Laws, institutions, coverage etc); Contemporary challenges and prospects for regional integration in East Africa.

LPR 303: LEGAL AND LEGISLATIVE DRAFTING

Foundations of legal drafting; purposes and functions of language; principles of drafting, clarity, brevity and precision; semantics, syntax and style; plain language; architecture of documents and scientific approaches to drafting; the Interpretation and General Provisions Act; concepts and classes of legislation; approaches to legislative drafting; common law legislative interpretation; the Vienna Convention on the Law of Treaties and interpretation in international law.

LPL 401: DISSERTATION

Lectures on writing skills for academic works, research and research methodology, plagiarism, referencing style, choosing a topic wisely and proposal writing; preparation of a work plan for guiding the writing process from start to finish; drafting the proposal; dissertation writing under the supervision of a faculty member presentation of the final bound and approved dissertation in triplicate.

LPR 401: JURISPRUDENCE

Introduction to philosophy with emphasis on the theory of knowledge and a theoretical evaluation of the method of legal philosophy; the concept of law; theories of interpretation and adjudication; The main lines of jurisprudence/ schools of thought: natural law, positivism, historical and sociological jurisprudence; the pure theory of law; the Marxist theory of state and law legal realism; Contemporary legal theories Revival of natural law, neo positivism; critical legal studies, jurimetrics and feminist jurisprudence; the concept of justice; theories of justice; distributive justice; justice as entitlement; justice and rights; law and morality; the jurisprudence of contemporary problems.

LPL 403: MOOTING

Introduction to mooting; research skills and memorial writing; oral presentation and courtroom scenarios; constitutional litigation and procedures relating to constitutional cases; procedure relating to communications to the African Court of human rights; substantive constitutional and international law issues.

LIL 405: INTERNATIONAL HUMAN RIGHTS LAW

Introduction to human rights and human rights law; the origins and development of human rights concepts and laws; the categories and beneficiaries of rights; the duty bearers; the United Nations and human rights the UN Charter; the Universal Declaration of Human Rights; the human rights mechanisms and structures under the major UN treaties; regional human rights mechanisms (the European system; the Inter-American system and the African System); current issues in the human rights discourse such as the death penalty, euthanasia, and reproductive rights.

LPR 400: CLINICAL EXTERNSHIP (OUT OF SEMESTER)

Students will be required to commit a full working day for 8 weeks (2 months) from Monday to Friday volunteering at an organization of their choice. The organization could be NGOs, public institutions including prisons, commissions and parastatals but excluding courts in the context of the requirements of judicial attachment, that are dealing with any particular aspect of the law. While at the organization, the students will be required to study the activities of the organization and identify areas of improvement. It should be a legal aspect of improvement for example creation or reform of statutes, issues of implementation, any need for policies and whether the organization is complying with the relevant laws e.g. NGO Coordination Act, labour laws. For the remaining four weeks of the clinical externship break, the students will be required to write a research paper whose substantive text should be between 4,500 and 5,000 words on the areas of improvement identified above.

LIL 400: INTERNATIONAL TRADE AND INVESTMENTS LAW

The Evolution of International Trade Theory; the GATT and WTO systems; fundamental principles of WTO/GATT law; role and functions of the WTO and its relationship with the IMF and World Bank; overview of WTO agreements; dispute settlement in the WTO; regional economic blocs and international trade – their rationale and impact on the trade regime; relevance of the international trade regime to Africa; Multilateralism Vs Regionalism; Trade and Investment; Protection of foreign private investments; the Multilateral Guarantee Investments Agency (MIGA); the Multilateral Agreement on Investments (MAI); Settlement of Investment Disputes; the International Centre for the Settlement of Investment Disputes (ICSID).

LCC 401: BANKING LAW

Banking Regulation (Legal and Institutional); Negotiable Instruments – nature and characteristics, classification, rights, duties and liabilities of parties, contemporary issues i.e. EFT, M-banking.

LIL 402: LAW, SCIENCE AND TECHNOLOGY

The link between law, science and technology; Kenya's policy, legal and institutional frameworks for science and technology; information technology, investigation and evidence; information technology law; telecommunications, media and the law; information, control and power; biotechnology, biosafety, sound science and society; law and public health; traditional knowledge, rights and obligations; technology, law and development.

LCC 403: COMPETITION LAW

An introduction to competition law; Sources of Competition Law; Market definition; the rise of monopolist ideals/practices; Trade, monopolies and competition; restrictive trade practices; regulation of mergers and acquisitions; consumer welfare; contracts in restraint of trade; Competition Authority and Competition Tribunal.

LPL 402: LAW AND GENDER RELATIONSHIPS

Introduction to concepts and theories on gender; Gender as a social construct; meaning of gender; the role of men in the gender discourse; Patriarchy and the law; History of discrimination on the basis of gender; the origins and development of feminist jurisprudence; discrimination on the basis of sex; the legal provisions on discrimination; affirmative action; Specific issues relevant to the deconstruction of gender imbalance reproductive rights, abortion, property relations/ownership, inheritance, employment and gender, family relations/gender roles, politics and gender, crimes and gender sexual; harassment ; areas of legal and policy reform.

LCC 400: TAX LAW

Origin and development of taxation law in Kenya; rationale for taxation; tax policy; tax systems; tax structure; Tax avoidance and evasion; Income tax – personal taxation; business taxation; taxation of partnerships and companies; Principles; Administration and Judicial Organization; Survey of Kenyan Taxes; Taxation of Partnerships and Companies; Tax Policy; Penalties; Tax reforms; Tax Policy; Penalties; Tax reforms.

LCC 402: ACCOUNTING FOR LAWYERS

Nature and purpose of accounting; Objectives of accounting; Nature and role of organizations that set accounting standards and guidelines; Accounting Standards; Accounting concepts and principles; Source documents; Books of original entry; Ledgers; Trial balance; Advocates (Accounts) rules; Office account; Client Account; The advocates (deposit interest) rules; The advocates (Accountant's certificate) rules; Cost accounting; Budgeting; Theory of taxation; Taxation of income of persons; Administration of income tax (PAYE); Administration of Value added tax (VAT); Introduction to trusts accounts; Nature of trust accounts; Duties of trustees; Rights of beneficiaries; The Estate books; Contents of a partnership agreement; Partners current and capital accounts; Statement of financial performance; Statement of financial position; Change in the partnership agreement; Dissolution; Ratio Analysis; Statement of cash flow; Accounting Packages; Justification/Rationale for computerized accounting system; Components of a computerized accounting system; Selecting a good computerized accounting system; Challenges of a computerized accounting system; Current trends in computerized accounting software.

LPL 400: LABOUR LAW (CLE CORE)

Introduction to labour law; Theories of production; Employment Contracts; Collective Bargaining Agreements; Freedom of Association (workers' and employers' associations); Trade Unions (establishment, registration, recognition etc; Employer Organizations; Dispute Resolution; International Labour Organization (ILO)-international aspects of labour law; International Labour Standards and their Relevance/Applicability in Kenya.

LIL 406: LAW OF REFUGEES AND INTERNALLY DISPLACED PERSONS

Historical analysis of the problem of refugees and internal displacement; causes and effects of the problem of refugees and internal displacement; sources of international law on refugees and internally displaced persons; essential elements of refugee status; the refugee definition under the United Nations and the OAU Conventions; rights and duties of refugees;

durable solutions to the refugee problem (voluntary repatriation, local integration and resettlement); the Role of the UNHCR and other humanitarian agencies; the law on humanitarian/relief work; gaps in the existing refugee law; the legal protection of internally displaced persons; refugee problem and internal displacement; legal protection of refugees under Kenyan law.

LIL 401: INTERNATIONAL HUMANITARIAN LAW (LAW OF ARMED)

Sources of IHL, Origin, History and development; the Geneva Conventions of 1949 and the 1977 Protocols Additional thereto; means and methods of war; warfare on land, sea, air and outer space; the protection of cultural property and the environment in time of war; the law applicable to internal conflicts under Common Article 3; serious violations of international humanitarian law -genocide, war crimes, crimes against humanity and grave breaches of the Geneva Conventions; Repression Mechanisms for IHL (ICC and hoc Courts and special Courts), Contemporary Issues in IHL, legal status and mandate of the ICRC

LIL 403: INTERNATIONAL CRIMINAL LAW

Introduction to and sources of international criminal law; the reaction of the international community to atrocities; fundamentals of international criminal law the notion of international criminal law, general features of international criminal law; Substantive criminal law International crimes such as war crimes, crimes against humanity, genocide as well as other crimes like aggression, torture and terrorism; Fundamentals of international criminal responsibility including individual criminal responsibility, nullum crimen sine lege and nulla poena sine lege; circumstances excluding criminal responsibility; prosecution and punishment in national courts; the Universal jurisdiction principle; prosecution and punishment by international criminal courts; the International Criminal Court (ICC); Ad Hoc international tribunals and special courts such as the International Criminal Tribunal for Rwanda (ICTR), the International Criminal Tribunal for the former Yugoslavia (ICTY) and the special courts for Sierra Leone and Cambodia respectively and domestic prosecution of international crimes and transitional justice processes’.

LPR 402: PUBLIC INTEREST CLINIC

Students will provide legal aid to indigent members of the society under the supervision of an advocate either from the members of academic staff at the School of law or from the Bar with the approval of the School of Law. Students will be assessed on the basis of the activities involved in and the final report submitted at the end of the semester, the final grade being out of 100 marks.

LIL 407: LAW OF INTERNATIONAL ORGANIZATIONS

Definition, classification and roles of international organizations; constitutive processes and issues; structure, functioning and competences; powers and sanctioning of international organizations; financing and external and internal control; the United Nations System; supranational organizations; intergovernmental organizations; economic cooperation and integration; tribunals; peace and security; international organizations and crime; quasi-

intergovernmental organizations; dispute resolution; the Vienna Convention on the on the Law of Treaties Between States and International Organizations.

LCC 404: CONSUMER PROTECTION

Introduction to the international, regional and national scheme for the protection of consumers; the freedom of contract and consumer protection; the impact of technology on consumer protection; the law on consumer protection in health, housing, entertainment, transport, financial services and other sectors; the law on standardization and quality control of goods and services in Kenya; the role of the Kenya Bureau of Standards (KEBS); access to justice or redress mechanisms.

LCC 405: INFORMATION & COMMUNICATION TECHNOLOGY LAW

Introduction and basics on ICT; Nature, history and evolution of ICT including the latest developments; ICT applications and the law; online transactions or activities and the protection of intellectual property rights; the law on patents, copyrights, trademarks and designs in computer related activities; the Internet, electronic commerce and the law; computers versus trade/ commercial secrets; personal electronic communication (e- mail); the impact of computer technology on areas of law such as commercial law, the law of contract, sale of goods, and intellectual property law.