



RIARA LAW SCHOOL

UNIVERSITY EXAMINATION FOR BACHELOR OF LAWS (LLB) DEGREE

AND

PRE-KENYA SCHOOL OF LAW CORE COURSES COMPLIANCE PROGRAMME

JANUARY – APRIL 2024

FINAL EXAMINATION

RLLB 403: LEGISLATIVE DRAFTING

INSTRUCTIONS

1. This is the final examination in Legislative Drafting. You will earn 70% of your final grade from this final examination and 30% from Continuous Assessment Assignments.
2. This examination has **Three** questions. Please answer **ALL Three QUESTIONS**.
3. This examination has 2 pages, including this one.
4. Time allocated for this examination is **TWO** (2) hours.
5. This examination is governed by the **Riara University Academic Honesty Regulations**. Students who violate those regulations will be penalized. Students must report to the course instructor any incidences of academic dishonesty compromising the integrity of this examination.
6. Indicate your **REGISTRATION NUMBER AND THE TITLE OF THE EXAM** at the top of the page. **DO NOT INDICATE YOUR NAME ON THE ANSWER SCRIPT.**

Question One:

You have received drafting instructions from the Attorney General to draft a bill that would comprehensively address the rising issues of Femicide in the country. He expects a bill with comprehensive provisions on the administrative, institutional, substantive and procedural frameworks. Draft the Bill **(50 marks)**

Question Two:

Consider the following poorly drafted legislative clauses:

"Any person who causes harm to another shall be liable to pay compensation."

Redraft the clause to enhance precision, comprehensiveness, and legal certainty, while also addressing potential ambiguities and loopholes that may arise in its interpretation and application within the Kenyan legal system. You must include a three subsections

(5 marks)

Question Three:

"Employers must provide fair wages to their employees."

Redraft the clause to establish clear parameters and standards for determining fair wages, incorporating principles of equity, non-discrimination, and compliance with labor laws and regulations in Kenya. Ensure that the redrafted clause addresses issues such as minimum wage requirements, overtime compensation, and other relevant factors affecting employee remuneration.

(5 marks)

Question Three:

Draft clauses to effect the following statements;

- a) Give power to a police officer to arrest a person without a warrant. **(2 marks)**
- b) Bestow a right to peaceful demonstrations on the Citizens of the Republic of Wakanda

(3 marks)

Question Three:

"The educational institution must ensure the safety of students."

Redraft the clause to provide clear guidelines and obligations for educational institutions regarding student safety, taking into account the diverse risks and challenges faced in the educational environment and the legal standards applicable under Kenyan law.

(5 marks)