



# MANICALAND STATE UNIVERSITY OF APPLIED SCIENCES

**FACULTY OF AGRI-BUSINESS AND COMMERCE**

**DEPARTMENT: TOURISM, HOSPITALITY AND LEISURE SCIENCES**

**HOSPITALITY AND TOURISM LAW**

**CODE: THMA 215**

**DECEMBER 2023**

**DURATION: 3 HOURS**

**EXAMINER: MR V. BASERA**

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## **INSTRUCTIONS**

1. *Answer any four (4) questions only*
  2. *Each question carries 25 marks*
  3. *Total marks 100*
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## **SECTION A**

### **Question 1**

- a. Identify five purpose of law. [5 marks]
- b. Identify five sources of Zimbabwe law. [5 marks]
- c. Discuss five essential elements of contract [10 marks]
- d. Highlight five advantages of arbitration [5 marks]

## **SECTION B**

### **Question 2**

Discuss any three relevant Acts (legislations) that govern the tourism and hospitality industry. [25 marks]

### **Question 3**

- a. Discuss the contents of a partnership deed. [5marks]
- b. Explain any two ways that lead to the termination of a contract. [10marks]
- c). Describe any five branches of law. [10marks]

### **Question 4**

- a) With reference to specific examples, explain the following terms as applied to Tourism law;
  - i. Duty of care
  - ii. Res ispa loquitur
  - iii. Arbitration
  - iv. Volenti non-fit injuria [16 marks]
- b) Identify four remedies for defamation. [4marks]
- c) Highlight five duties of an agent. [5marks]

### **Question 5**

- a. Identify three alternatives to litigation. [3 marks]
- b. State three advantages of arbitration. [3 marks]
- c. Enumerate five forms of criminal punishment. [5 marks]
- d. Highlight five courts under judicial system in Zimbabwe. [5marks]
- e. Explain five ways a food and beverage manager must comply with legislation when planning a menu. [9 marks]

### **Question 6**

- a) Describe any six duties of an employer in a contract of employment. [15 marks]
- b) Outline any five conditions that give rise to agent relationships. [10 marks ]

**END OF EXAMINATION**