

# COUNCIL OF LEGAL EDUCATION



## EXAMINATION FOR ADMISSION TO THE ROLL OF ADVOCATES

### ATP 106: LEGAL PRACTICE MANAGEMENT

FRIDAY 14 OCTOBER, 2022.

DURATION: 3 HOURS

#### Instructions to Candidates

- (a) This paper contains Seven (7) printed pages including the cover page, with a total of Seven questions.
- (b) Candidates MUST answer FIVE (5) questions.
- (c) Question ONE is compulsory and carries 20 marks.
- (d) All other questions carry 10 marks each.
- (e) Candidates MUST answer ONE question from each of the Sections and a FIFTH question from any Section.

**PLEASE TURN OVER**

## QUESTION ONE

- a. Comparability is a qualitative characteristic that determines the usefulness of financial information.
- i. Explain what is meant by the term comparability in financial statements. (1 marks)
  - ii. Explain two ways in which International Financial Reporting Standards (IFRSs) aids the comparability of financial information. (2 marks)
  - iii. Explain two ways in which the use of historical cost accounting may misled the users of financial statements when prices levels changes. (2 marks)
  - iv. Products costing has become one of the method that is used in cost accumulation mostly in the manufacturing firms. Cost accumulation aids in the pricing and evaluating the profitability of the products.  
Explain how the prime cost is determined. (2 marks)
- b. You are the Human Resource Director of modern progressive law firm. During the last one year, the law firm's profits have been on a downward trend and this has resulted in doubtful truth through the grapevine that retrenchment might happen sooner than later.
- The Managing Partner (MP) who is also the majority shareholder of the law firm has summoned you to his office to discuss the general performance of the law firm which seems to have slackened over the last few months leading to decline in profits. The MP started the conversation by stating that there must be change immediately to address the issue. The MP suggested that the first department to be scrapped was the Human Resource department because according to him what the department does is clerical which could be handled by any other person. In addition to getting rid of Human Resource department, the MP was of the view that employees training and development, were too costly which were reducing the profits of the law firm. In order to cut costs, the MP directed that all training and development programs be scaled down.
- As the Human Resource Director, your attempt to explain the importance of Human Resource department in the law firm was ignored by the MP. The MP's parting shot in this one-sided conversation ended with an ultimatum that "if you think that Human Resource department was important to the law firm, then, you only have 24 hours to prove it; otherwise, the whole department would be scrapped".
- Discuss seven (7) consequences that the law firm is likely to suffer if the MP scrapped the HR department. (7 marks)

- c. Jane was excited to secure a job after finishing her law degree prior to joining the Kenya school of law. Even though the job was in a law firm located in Alisoma town, a rural area in the country, she decided to take it up and gain some experience. Two month into the job, Jane became increasingly frustrated. The firm did not have formal filing system in place. Recently, a document that was needed in court urgently could not be retrieved with ease. Furthermore, there is no formal inventory management system either. The managing partner complained of a recent purchase of office supplies that was done before the previous stock got depleted. The partner also observed that the supplier used by the company was very expensive yet there were cheaper suppliers locally.
- Advice the firm on three benefits they would derive from adopting a computerized filing system. (3marks)
  - Explain to the firm three important reasons for developing a proper record management system. (3marks)

#### **SECTION A: COMMERCIAL ACCOUNTS**

##### **QUESTION TWO**

The following is the opening statement of financial position for Joy and Company Advocates as at 30 June 2021:

**JOY AND COMPANY ADVOCATES**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 JUNE 2021**

	Shs. '000'	Shs. '000'
<b>Assets</b>		
<b>Non-current assets:</b>		
Furniture & Fittings	6,000	
Equipment	12,000	
Motor Vehicles	<u>40,000</u>	
	58,000	
<b>Current assets:</b>		
Fees in arrears	140,000	
Office account	240,000	
Client's account	<u>450,000</u>	
	830,000	
<b>Total assets</b>	<u>888,000</u>	
<b>Equity and liabilities</b>		
<b>Equity:</b>		
Capital	354,000	
<b>Current liabilities:</b>		

Client's account	450,000
Accrued operating expenses	84,000
	534,000
	888,000

Details for Joy and Company Advocates for receipts and payments for the year ended 30 June 2022 is provided below:

	Shs. '000'
<b>Receipts:</b>	
Fees for services rendered	600,000
Deposit to buy land for the client	840,000
Deposit for a criminal case from the client	360,000
<b>Payments:</b>	
Equipment purchased	3,000
Operating expenses	296,000
Deposit on land sale contract for the client	240,000

**Additional information:**

- (i) Interim fee note of Shs. 40m was debited to client's account.
- (ii) Operating expenses of Shs. 15m has been charged to client's account.
- (iii) Accruing operating expenses amounted to Shs. 44m for the year ending 30 June 2022.
- (iv) Fees in arrears for the year ending 30 June 2022 amount to Shs. 120m.
- (v) Depreciation is charged on reducing balance method as follows:
  - Furniture & Fittings at 12.5%
  - Equipment at 10%
  - Motor vehicles at 25%

**Prepare:**

- a) The Joy and Company Advocates Income and Expenditure Account for the year ending 30 June 2022. (4 marks)
- b) The client's account for the year ending 30 June 2022. (2 marks)
- c) The statement of Financial Position for Joy and Company Advocates as at 30 June 2022. (4 marks)

### QUESTION THREE

A trainee accountant working for a sole trader Juma Mamboleo has prepared the following summary of the cash book for the year ending 30<sup>th</sup> June 2022:

**Cashbook**

Particulars	Shs '000'	Particulars	Shs '000'
Receipts	26,442	Balance b/f	13,698
Balance c/f	9,972	Payments	22,716

36,414

36,414

While checking the cashbook against the bank statement, the trainee accountant found the following discrepancies:

1. Bank charges Shs. 2,448,000 shown in the bank statement has not been entered in the cashbook.
2. The bank has debited a Cheque for Shs. 450,000 in error to the accounts of Juma Mamboleo.
3. Cheques totalling Shs. 4,806,000 have not yet been presented to the bank for payment.
4. Cheque drawn of Shs. 108,000 had been entered in the cashbook as Shs. 1,188,000.
5. Dividends received of Shs. 1,116,000 have been credited on the bank statement but not yet recorded to Juma Mamboleo's cashbook.
6. There were Cheques received of Shs. 13,716,000, which were entered in the cashbook but not yet credited by the bank.
7. A Cheque for Shs. 1,440,000 has been returned by the bank marked "refer to drawer" but no entry relating to this has been made in the books.
8. Cheque drawn amounting to Shs. 396,000 had been entered as receipt in the cashbook.
9. The opening balance in the cashbook should have been Shs. 12,798,000 and not Shs. 13,698,000.
10. The bank statement shows that there is an overdraft at 30<sup>th</sup> June 2022 of Shs. 20,916,000.
  - a) Explain two purposes for preparing a bank reconciliation statement. (3 marks)
  - b) Prepare the updated cashbook. (5 marks)
  - c) Prepare a bank reconciliation statement as at 30<sup>th</sup> June 2022. (2 marks)

#### **SECTION B: HUMAN RESOURCE MANAGEMENT**

##### **QUESTION FOUR**

- a. Makongeni Ltd. is a sisal manufacturing company that has been in operation since the year 2000. However, in the last five years, the company has experienced low productivity. According to an internal report, about 45 employees have already given notice to leave. Further, the report shows that the contracts of many employees were terminated due to gross misconduct. In the last two years, Makongeni was forced to reduce its workforce due to COVID-19 which resulted in low demand for its products. Some branches were closed and the employees were asked to leave the service on voluntary basis to cut surplus manpower and others were temporarily sent home due to low capacity. The remaining employees were moved to other branches without changing their job responsibilities and remuneration. The employees were moved without any form

of induction resulting in wastages of materials and time which in turn has led to poor productivity. Although these measures affected the operations of Makongeni, the management argues that they were necessary for the company to survive.

Develop an induction programme highlighting the major business areas that can be covered in the induction training of the employees transferred to other branches within Makongeni Ltd. (5 marks)

b. Effective employee placement is at the heart of the recruitment and selection process. It involves assigning a specific job to a newly selected candidate i.e. matching the job requirements with the qualifications of the candidate. Discuss the importance of proper placement in an organization. (5 marks)

#### QUESTION FIVE

The management of Unyunu Supermarkets is planning to open a new retail store in Naivasha in line with its expansion strategy. This expansion requires hiring new employees, transferring some of them on promotion, inducting new employees and training others to ensure the new store starts operating effectively from the onset. However, a review of previous recruitment and selection report reveals that Unyunu Supermarkets has never conducted a job analysis which has resulted in hiring unqualified staff. In addition, the operations manager reported that employees were being promoted on the basis of tribalism and nepotism leading to high levels of dissatisfaction in other branches. Moreover, there are no records to show how employees are selected for training which has led to wastage of resources and poor service delivery. The management of Unyunu Supermarkets is concerned about this finding and fears that it might lead to poor service delivery and catalyze employee turnover and unnecessary law suits which might be costly to the organization. The management of Unyunu has hired you as their HR manager to help improve the situation.

- a) Explain to the managers five ways in which job analysis can be used to solve some of the problems faced by Unyunu Supermarkets (5 marks)
- b) Discuss three (3) reasons why Unyunu Supermarkets should invest in training and development of its employees (3 marks)
- c) Describe any two criteria that the management of Unyunu Supermarkets can use to ensure fair promotions. (2 Marks)

## **SECTION C: OFFICE PRACTICE**

### **QUESTION SIX**

Kairo Tea Plantation Ltd has big agricultural land stretching into 300 acres of land, three quarters of which is covered with tea plants. The firm employs over 1500 workers. In the year 2021, the managers of the plantation received many complaints from female workers alleging sexual harassment from their male co-workers and for a few cases, among the male supervisors. The management however took a defensive rather than a proactive approach in addressing the allegations. A local media house reported the incidence and highlighted that the firm did not have structures to prevent and address sexual harassment. When the media house probed the management for a comment, the spokesperson of the plantation said that while they did receive many reported cases of harassment and coercion, their own investigation found that most of these accusations were unfounded and malicious.

- a) Suggest to the firm two forms of sexual harassments that they needed to bear in mind as they carry out their investigations. (4marks)
- b) Recommend to the firm three steps they need to take in order to curb sexual harassment at the firm. (6marks)

### **QUESTION SEVEN**

Mutune & Mbiti advocates is a large law firm which recently changed its location to the upper hill area of the capital city of Kenya - Nairobi, in a newly constructed building. The law firm has occupied seven floors of the 12 floor building. Barely three months into the new premises, disaster struck. The building caught fire due to an electric fault and by the time the fire was put off, majority of the firm's property and records had been damaged. Mutune, one of the partners gave you a task as one of the employees to generate a report on the preparedness of the firm on disaster management. He further required you to include in the report other health and safety measures that the firm needed to put in place to mitigate against future occurrence of risk.

- a) Suggest to the firm actions they can take in order to reduce or avoid the potential losses from a risk occurrence and ensure there is business continuity. (6 marks)
- b) Suggest four health and safety measures that the firm can adopt to mitigate the loss in case of a disaster. (4 marks)

# HIGHEST SCORED

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1 <sup>st</sup> Verification	SI

100761



COUNCIL OF LEGAL EDUCATION  
EXAMINATION FOR ADMISSION TO THE ROLL OF ADVOCATES

UNIT CODE: A T P 106 SUBJECT/UNIT Legal Practice Management

REGISTRATION NUMBER:

DATE: 14<sup>th</sup> October 2022

INSTRUCTIONS TO CANDIDATES

1. Enter the Unit code, Subject of the Examination, Admission Number and Date in the spaces provided. The admission number should be as it appears on the Examination Card.
2. Do not write your name anywhere in this booklet.
3. Attempt each question on a fresh page of the booklet.
4. If an additional booklet is used, it MUST be fastened at the END of this booklet.
5. Insert in the column headed 'Question Number' the numbers of questions answered in the order in which you have attempted them.
6. Kindly ensure your handwriting is LEGIBLE.

Question Number	Examiner		Moderator		Quality Assurer	
	Mark	Initials	Mark	Initials	Mark	Initials
Q 3 E.K.	6(a)	10	W.M			
b 7 J.O.O	6b					
c 5 - I.W.M	4	10	J.O.O			
	5	10	J.O.O			
3 (a) (b) (c)	3	E.K.				
1 (a) (b)	15	E.K.				
5 (a) (b) (c)						
TOTAL MARKS	53	E.K.				

## Forms of Sexual Harassment

Sexual harassment is a situation where a person makes a sexual advance, directly or indirectly and in return a sexual favor is advanced to an employee. Sexual harassment presents itself in forms that are unwelcome unwanted and that make the work environment a toxic place. Section 6(1) of the Sexual Offences Act describes the forms of sexual harassment.

### 2 forms

- 1.) Quid Pro Quo - this is where an employee is given a sexual advance directly or indirectly for a sexual favor in return. The advances are unwelcome.
- 2.) Direct or Indirect Sexual harassment - advances, that are sexual in nature are given to an employee on conditions of :
  - a) fulfilment of a promise if employee accepts the unwelcomed sexual advance
  - b) threats imposed if an employee does not comply with the sexual advance.
- 3.) Sexual material conveyed in audio or video - eg sending pornographic material to a person with an intention to flirt then make sexual advances.

## Steps to curb sexual harassment at the firm.

- 1) The firm needs to develop a strict sexual harassment policy. The policy should cover some issues as follows:
  - i.) Nature of sexual harassment and describe what amounts to sexual harassment.
  - ii.) Forms of sexual harassment.
  - iii.) Sanctions put in place for offenders of the policy.
- 2) The firm needs to develop an effective sexual harassment complaint system. This should ensure that any employee that has been sexually harassed can complain to the top management; discreetly and anonymously. Organisations like Equity Bank Kenya Limited have a whistleblower mechanism called Expolink which enables employees make complaints and reports on sexual harassment anonymously.
- 3) The firm also needs to come up with a strategic effective investigation system that is fast, just and impartial. Any complaint made under (2) above - should be investigated as soon as reported. The consequences of violating the sexual harassment policy should also be strictly adhered to.
  - Dismissal of employee if the sexual harassment claims as reported and investigated are grave.
  - Suspension of employees
  - Disciplinary action before Human Resources to show cause

## INDUCTION PROGRAMME

Once recruitment and selection has been done, the next step is usually placement, Induction and Socialization of the new employees. Induction is a key step that is required once a new employee has been hired in any business organisation.

(B)

The following is an induction programme that would cover the areas listed below; In the training of the new recruits.

### Induction on:

1.) Office personnel and their duties, responsibilities, powers and authority. This is basically introducing an employee (newly hired) to the rest of the team in an organisation. This promotes good relations amongst the new employee and the 'old' - (existing) employees.

2.) The job's tasks, duties and obligations. In this stage, a new employee gets to familiarise themselves with the job, one on one. The employee is to be trained through explanations, apprenticeship and then finally beginning to do the tasks independently after induction is over.

3.) The organisation's policies and procedures and systems. The newly hired or transferred employees, as in this case are briefed adequately on the policies in place, the procedures to be followed when undertaking certain tasks, duties and obligations; as well as the systems put in place in the organisation to ensure smooth flow of business. Examples of policies likely to be put in place: HR Policy - Filing systems - Procurement Policy Sexual Harassment Policy

4) Organisational Structure. During the induction training, the new employees should be trained and given more information on the organisational structure of the business. An organisational chart is a clear image of a firm's ~~organisational culture~~ structure. It shows the ~~lines of authority, lines of command, who should report to who, the lines of communication etc.~~ It is important to have this area trained on during induction.

5) Organisational culture, Employee Welfare (Social) During induction, the trainer should make sure they explain to the new recruits (transferred), about the culture of the organisation. This basically explains how things are done in the firm and the general 'culture' of doing things. It's also vital to inform the new employees of the social welfare programs and benefits they are entitled to while at work in the <sup>other</sup> branch in Makongeni.

E.g National Social Security fund

Pension

Awards to best performers

Allowances

Medical covers etc.

## Importance of Proper placement.

Proper placement means that the requirements envisioned during recruitment have been met by the successful candidates; as outlined in selection. During selection, HR managers ensure that they compare the organisational HR needs and objectives vis a vis the qualifications and experiences that a prospective employee has.

On assessment and confirmation of proper qualification for the job description of the employee, the HR manager do placement.

Proper placement is important because it:

- 1.) Improves efficiency of the employee since the employee is actually placed and given tasks/duties within which he/she is experienced and qualified to perform.
- 2.) Enhances productivity of the organisation. With efficiency of an employee, business productivity is almost guaranteed since the employees work without any mala fide intentions - The business will, in the long run, experience the ripple effect of proper placement by: Improved sales, good customer service, etc.
- 3.) Maintains motivation amongst employees. This is because they love what they do and as such they look forward to doing more jobs and achieving a lot of goals as outline in the job description.
- 4.) Advances career development of employees in the organization. This basically can be explained like this: Every employee has a prospective goal that they need to achieve. An employer

on the other hand can use this opportunity to advance a newly recruited employee's career by properly placing him/her in a department which realises the objective of the employee. This is done under an organisation's career management programme.

- 5) Proper placement is important because it enhances and promotes loyalty amongst employees to the company. This is because properly placed employees are happy, satisfied and contented. Improved productivity and efficiency flows therefrom. Significantly, there will be low turn-over of employees since they would rather work in an organisation where their career objectives are realised altogether.

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3(a)

Purposes of the Bank Reconciliation Statement.

- 1.) It assists in identifying discrepancies in the cash book and the bank statement. These discrepancies are as a result of time differences when recording the transactions.
- 2.) It enables reconciliation of these discrepancies, errors or mistakes done on the part of the bank

3(b)

## JUMA MAMBOLEO

## UPDATED CASH BOOK

AS AT 30<sup>TH</sup> JUNE 2022.

Particulars.	'000'	Particulars	'000'
Bal. as per cash book	12798 ✓	Bank Charges	2448 ✓
Error: Overcast	1080 ✓	Dishonoured Cheque	1440 ✓
Overcast	900 ✓	Error: Commission	792 ✓
Dividends Received	1116 ✓	Error: Overcast	900 ✗
Error: Commission	792 ✗	Error: Overcast	1080 ✗
(396x2)			
		Bal. dd	10,026 ✗
(Balance as per adjusted cash book)	<u>16,686</u>		<u>16,686</u> ✗

3(c)

## JUMA MAMBOLEO

## BANK RECONCILIATION STATEMENT

AS AT 30<sup>TH</sup> JUNE 2022

	'000'	'000'	'000'
Bal. as per ACB	16,686		16,686 ✗
Unpresented Cheques	48,806	48,806	48,806 ✗
Adds: Wrong Debit		44,50	53,306
Uncredited cheques		13,716	✓
Less: Wrong Debit		(450)	13,266

8/10

## (i) Comparability

The main aim of financial statements is to show the progress/position of the business at any particular financial period.

Comparability in financial statements would then mean that each and every financial statement has a specific objective it aims to accomplish - for another statement (financial) to be made, there is that main financial statement that then gives rise to other financial statements.

e.g. Income statements show the profits or losses that a business made in at the end of the financial year.

A cash flow statement on the other hand deals with the cash flow (movement of cash) in a business.

The two statements (financial) can be said to be comparable.

## (ii) How IFRS aids in comparability of financial information.

- 1.) Each financial statement seeks to achieve a different objective from the other.

As such the IFRS has come up with conventional or default formulas or methods that enable us calculate the financial and record it accordingly (as per the formula). Basically, IFRS has greatly enhanced comparability through financial recording (proper).

- 2.) Financial management. The IFRS has set out guidelines for financial management in businesses. This means that, at no given time will a business person use the same book of accounts to manage certain aspects of incomes/expenses from a transaction.

- 3.) Financial recording and reporting - to compare the various financial statements, the IFRS shows us how to record and report the transactions in the respective book of accounts.

Write on both sides of the paper

Questions .....

Do not write in  
either margin

iii.) 2 ways in which the use of historical cost misleads users of financial statements.

1.)

2.)

X

O

iv.) How prime cost is determined.

Determine the value of the cost unit first then also take into consideration the costs of work in progress.

X

O

(3x)

The HR department is a vital department in any given law firm and scrapping it off would only lead to more harm than good.

The following are consequences that the law firm is likely to suffer on scrapping of the HR:

- 1.) Low productivity in the organization, less effectiveness of SHRM.  
HR managers play the role of managing human resources in the firm through carrying out appraisals to evaluate employees performance at work. In their absence, there's laxity amongst employees thus poor productivity.
- 2.) High employee turnovers. This would be caused as a result of lacking HR personnel to carry out motivating tasks to the employees such as rewarding, team-buildings, no job rotations, job enlargement or job enrichment. HR is mandated with compensating employees by paying salaries | allowances | overtime. Lack of this leads to high turnover.
- 3.) Slow career growth of the other employees left in other departments except the HR. HR plays a very key role of career development and planning by matching employees with jobs that match their skills and competencies at the same time achieving the objective of the law firm.
- 4.) Separations due to mobility of the firm's HR employee will occur. The specific separation is retrenchment through redundancy. This means that the firm will have or is likely to experience shortage of manpower.
- 5.) More overwhelming and pending work. Scrapping the HR department means that there will be no employees to carry out human resource functions such as planning, organising, directing, controlling, staffing etc. As a result, the firm will experience a huge work load since there's inadequate manpower to complete these tasks.
- 6.) Reduced employee efficiency. This could be as a result of the remaining employees being overburdened with tasks and jobs that ordinarily, were being performed by the HR department.

employees. These employees (who have been left behind) may be unable to perform the tasks to the required standard as a result of fatigue and demotivation to carry out HR tasks which need to be performed by HR experts or persons competent in Human Resource Management.

- 7.) Litigation Proceedings may be brought against the law firm claiming infringement, violation, threatening and confrontation of Article 41 constitution of Kenya that provides for fair labour practices. The litigation between the Managing Partner of the firm and the threatened employees will lead to incurrence of costs to defend the suit in the Employment and Labour Relations Court.

i.)

i.) Benefits of using a computerized filing system.

1.) ~~Economies of space.~~ Using computerized filing means storing the files / documents electronically. This further means that there will be no need of using large spaces to store files and documents.

2) Confidentiality of the documents or records stored in the computerized filing system. No unauthorized access to files as they are encrypted and one can only access them by using passwords given to each employee in an organization. No pilferage, damage or theft as well.

3.) Reduced costs of procuring filing cabinets, files themselves as well as the costs of employing a professional in the filing field. Computerized filing is easy to use since computers use applications with simple straightforward set of commands to process, analyse and store the records/files.

ii.)

Reasons for a proper record management system.

1.) For easy ~~retrievability~~. A record system should be in such a way that enhances ease of access of the filing records. The filing system should be easy to operate and accessible.

2.) For Compliance with legal requirements. The Records Disposal Act deals with issues of records management and the law requires that some documents be retained for specific periods.

3.) To ensure safety and confidentiality of the records. A proper system ensures that the records are safely stored where no unauthorized persons can access them, No pilferage or theft of the records.

Write on both sides of the paper

Questions .....

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either margin

(5)

Question 5(a)

5 ways in which Job Analysis can be used to solve Unyunu Supermarket Problems.

(3)

- 1.) Creation of a job description. This describes the specific duty/tasks of an employee and eradicates ambiguity on the role of an employee thus improving efficiency.
- 2.) Recruitment and selection within the supermarket will become easier since the job analysis provides for the qualifications, skills and competencies that an employee (prospective) should have.
- 3.) Job analysis will enable Unyunu Supermarkets management to hire qualified staff - thus improved business output.
- 4.) Job analysis ensures that the Unyunu management carries out the process of placement, induction & socialization effectively.
- 5.) Ensures employees are motivated since job analysis gives motivating conditions.

(5)

Question 5(b)

(b) Reasons for Investing in training and development of employees.

(3)

- 1.) For career growth of the employees. This is in furtherance with career development plans and career management plans.
- 2.) To motivate the employees. By investing in training them, the employer instills a sense of belonging in the work place & as such - it becomes easier to achieve the goals of strategic human resource planning (SHRM).
- 3.) To impart and instill knowledge in employees on technical matters, systems and procedures to be followed. With this knowledge, employees are able to dispense their duties effectively and efficiently thus propelling the productivity of Unyunu supermarket.

Criteria to ensure fair promotions.

- 1.) Unyuni Supermarkets management should ensure that they come up with a sound promotion policy that governs the issues surrounding promotion of employees of the supermarket.
- 2.) For every promotion that Unyuni Supermarkets endorses, there should be accompanying reasons on the basis of the promotion made - whether it was made on merit, performance of employee etc. Notifying the reasons for promotion justifies the legality of the same as it is done in an open, transparent, non-discriminatory manner.

# **LEAST SCORED**

Officer	Initials
Checker	E.O
Data Entry	SM
1 <sup>st</sup> Verification	WI

200628



COUNCIL OF LEGAL EDUCATION  
EXAMINATION FOR ADMISSION TO THE ROLL OF ADVOCATES

UNIT CODE: A T P 106 SUBJECT/UNIT ..... LEGAL PRACTICE .....

REGISTRATION NUMBER:

DATE: ... 14.10.2022 .....

INSTRUCTIONS TO CANDIDATES

1. Enter the Unit code, Subject of the Examination, Admission Number and Date in the spaces provided. The admission number should be as it appears on the Examination Card.
2. Do not write your name anywhere in this booklet.
3. Attempt each question on a fresh page of the booklet.
4. If an additional booklet is used, it MUST be fastened at the END of this booklet.
5. Insert in the column headed 'Question Number' the numbers of questions answered in the order in which you have attempted them.
6. Kindly ensure your handwriting is LEGIBLE.

Question Number	Examiner		Moderator		Quality Assurer	
	Mark	Initials	Mark	Initials	Mark	Initials
1(a) 1 F.R.	6	4	10pt	4	IM	
	5	3	TOO	3	FM	
1(b) 3 J.O.O	1	7	JOO	7	FM	
	4	00	JO0	—		
1(c) 3 W.M	7	2	10M	2	Fn	
TOTAL MARKS	16 E.K. + 16 FM.					

ACCOUNTING NOT DONE.

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Questions ..... **Q6.**Do not write in  
either margin

Sexual harassment should not be condoned in any institution or work environment. The menace has hindered productivity in lots of companies across the globe and failure to tackle it can result to dire consequences.

It however comes in various forms which may include and not limited to;

Verbal and non-verbal sexual harassment; This results whereby an individual working in a company or an institution feels like he or she is being coerced at his or her work place or being seduced by use of sexual words.

This may be referred to as a form of sexual harassment since it makes the employee to be uncomfortable in discharging their duties as it is required.

There also exists the non-verbal way of sexual harassment which can be experienced through touch. If an employee feels in any way that he or she is being touched in a sexual or provocative kind of manner, this can be referred to as a form of sexual harassment at the work place since it goes against all the rules and manners of ethics.

Another non-verbal way of sexual harassment is through ogling or looking at an employee with an ill motive or ill intentions. This can be well experienced during the induction period whereby the employer are given the mandate to interact freely, or during some of the company team building activities which may result to sexual advances from different individuals or employees in the same working environment.

Such acts ought to be treated as forms of sexual harassment either reported by the affected partner or not and the effected partner should be dealt with in accordance with the company policies and regulations according to the employment agreement as signed by the employee during the commencement of work at the company.

**F&T****4/10****A****4  
10****4/10**

Write on both sides of the paper

Questions ... **Q5** .....Do not write in  
either margin

Various forms of job analysis can be used to solve some of employee problems and some of the forms of analysis may include some variations made at the workplace to ensure efficiency prevails.

This can be done through downgrading of the workload. This will ensure that the pressure experienced by the employees regarding their work is reduced since overworking them may lead to low productivity cost which might result to a low turnout and limited efficiency.

The analysis also helps in identifying the different capacities or capabilities of workers or employees and will lead to knowing how to improve the employer performance level hence resulting to the company achieving its goals by the end of the financial year.

It helps in establishing the different lacunas that may come up regarding the conduct of the company. This will assist to establish if there is any deficit in the manual power and if there is any need to increase the same or, if there might be any laxity by an employee which may be used to sound a warning to the other workers or employees in the same institution or company.

It also assist to establish if there is any need for performance appraisal for the workers or employees within the different sectors or departments. The analysis of this may result to efficiency in the workers conducting their day to day duties in a more professional manner as compared to how ineffective they may be due to underpayment or not being given any form of financial boost while performing their duties.

It further helps to note if there might be any weakness experienced by an employee especially while discharging their roles or duties. The weakness might be as a result of poor living standards that might result to the uncomforability

at the workplace, another possible hindrance might be as a result of deterioration in the different individuals health due to lifestyle patterns, or hereditary infections.

b)

The training and development of employees helps them to discharge their duties with ease and expertise since they know their capabilities and are ready to portray them if any need arises to do so. In this instance, the work efficiency could be seen to happen by default due to the development underwent by the employee.

It also assists in the reduction of the workload since the staff are deemed to be more experienced are used during the induction of the interns in the company and the employee who are deemed to be non experienced get to be taught by the staff that might be deemed to have underwent the development program and are deemed more qualified to teach the ones who are experiencing a bit of luxury. The more experienced personnel at the various companies might also serve as the persons to be looked upon or a motivation to the least experienced employee at the workplace.

It helps in competition which may in the long run boost the productivity level of the firm or company, since the staff who undergo the various training programs might want to showcase what experience they may have gained during the training period. This will lead to a positive form of competition amongst the different employees which will be a huge boost to the company manpower since there will not be any need for the employees to compete for anything else other than the different senior positions within the company hence need for more training programs and initiatives.

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Questions .....

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c)

Consistency - If an employee is seen to be constantly improving in his or her day-to-day duties and is willing to learn more in order for him or her to improve his or her skills and also boost the company's productivity level, then such an employee requires a fair promotion in order to test if they are flexible enough to work in different working environments and also to test if the particular employee can easily function well with a different team hence the various team player skills are tested during such promotions.

Productivity level - This might suffice in situations where the company has a myriad of employees. The performance index or productivity level of different individuals might be used to determine if an employee requires a promotion or not.

Total 3/10

(1)

1  
2

/

i)

Comparability or the differentiation of the different financial statements to determine if the information given is indeed in line with the true facts.

ii)

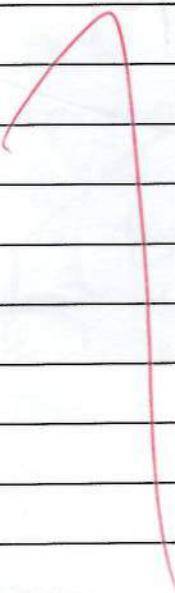
Helps to identify if there is an increase or decrease in the financial statements of different companies.

Helps to determine the total amount used during a specific financial year and how other companies can make profits boosts.

iii)

The various historic costs might be misleading since they vary year on year out and the dependence on one form of pattern may result to the changing price levels which may create a negative impact.

iv)



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Questions .....

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either margin

I b)

The scrapping off of the department might lead to low productivity levels or percentage since there will not be any department to supervise the productivity and performance of the employee.

(3)

It may lead to truancy since some of the employees might see it best not to come to work due to the non-supervision factor which may hinder the growth of the company or institution.

3/3

It may also result to non-performance which may be a big hindrance to the growth of the particular company since non-performance leads to degradation and this will result to a back-log of work left unattended to.

1

If the managing partner scrapped the human resource department, they will directly affect the conduct of the workers or the employee since most of them will be lazy and this will affect the company's result.

1

I c)

i) It is convenient since there will not be much time wasted in going to the various company registrar in order to conduct the filing process.

(3)

It saves on paper work; This will go a long way in helping reduce the monthly budget especially in areas where more paperwork is deemed to be used on a month-to-month basis.

3

It is easily manageable; This is eminent since lots of paper work can be reduced and just by a click of a button since most of the refiling system is digitized and the partner can easily access the filer at his or her own disposal.

3/2

(Total 7/20)

a)

Induction leads to flexibility of the employee since one employee could easily shift from one department to a different one with ease of maintaining a high standard of performance.

The induction training will make the employee be a bit up to task and this will encourage their psyche or boost their moral while working for the company.

Saving is another business program that may be encouraged during the induction program. Talking about it boldly will make it easier for the employees to express themselves on their different ways of saving which might be an source of encouragement to the other employee working in the same company.

Investment is another wide topic that can be introduced during an induction process. This will help the young employee to use their hard-earned cash sparingly keeping in mind the need of various forms of investment.

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Questions .....

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b)

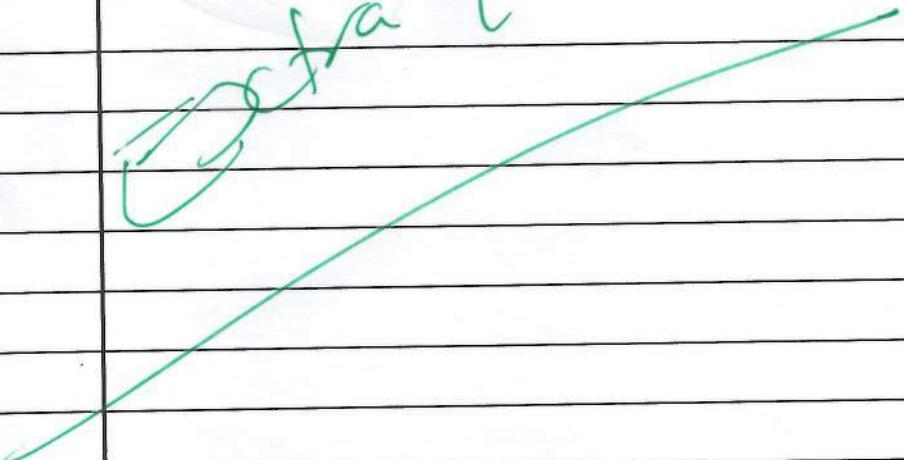
Proper placement may help in identify of the different employee niches and working around how to help them improve daily on their niche.

It also helps the employees to be open and transparent about what they want and how ~~better~~ they can conduct their work diligently.

This may also help in the identify of the different employee abilities and if they ~~may~~ be flexible in working at the various departments ~~within~~ the company.

(10)

Extra Q13



a)

Section 6 of the Occupational and Health safety Control Act gives the different approaches in case of a disaster.  
This may include:

Having safety measures - ✓

Having a back-up system in case of a disaster strike. ✓

Use of the e-filing system. ✓

It ensures proper safety at the firms premises.

It ensures some of the firms property is insured in case of a disaster.

✓

b)

(20)

✓

20  
10