



**STRATHMORE LAW SCHOOL  
MASTERS OF LAW (LL.M)  
END OF MODULE MAIN EXAMINATION  
LLM 8313: INTERNATIONAL CORPORATE FINANCE**

Date: **Thursday, 13<sup>th</sup> July 2023**

Time: **3 Hours**

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**INSTRUCTIONS**

1. This is the final examination for the course International Corporate Finance Law offered to Master of Laws (LLM) degree candidates in April 2023.
2. This examination will comprise 60% of your final grade.
3. This examination has 3 questions. Answer **ALL THREE QUESTIONS**.
4. You must stop writing when time is called by the examination administrator.
5. This is a **CLOSED BOOK** examination. You should not bring into the examination room any material in any format including class notes, outlines, textbooks, electronic materials. You should not have any electronic gadgets including cellphones and computers during this examination.
6. You are bound by Strathmore University's Student Code of Academic Conduct while sitting this examination. Any violations will be strictly enforced.

### **QUESTION ONE (20 POINTS)**

- (a) While there are two dominant aircraft manufacturing companies in the world, Airbus and Boeing, the business of flying creates immense business opportunities for companies in diverse areas including construction of airports, maintenance of aircraft, cargo and logistics, travel agencies, tourism and hotels, among others. The airline industry exemplifies complex business and investment legal questions that international corporate finance law is concerned about. You have been retained by Mawingu Airways as external counsel. Write a legal opinion advising the airline regarding leveraging international corporate finance law to ensure the airline enjoys sustained profitability and growth. **(10 points)**
- (b) Global leaders are rallying their citizens to heightened awareness about fossil fuel pollution and climate change. The global airline industry is said to contribute a significant amount of Green House Gas emissions every year. As a newly elected legislator in the Kenyan Parliament, what international corporate finance law reforms would you introduce to bring changes to the airline industry and ensure it abides by these concerns before it is too late? **(10 points)**

### **QUESTION TWO (20 POINTS)**

This class identified and discussed ten (10) types of corporate entities that persons may use to advance business and commercial pursuits. Mutinda is a Kenyan doctor and Patel is an Indian doctor. They have observed that many Kenyans have been travelling to India for cancer treatment. To reduce the physical and financial burden endured by such patients, especially the elderly of them, they have set out to provide annual cancer screening clinics in all major towns in the county. The first clinic will be held early next year.

The duo has come to you for advice regarding the best corporate vehicle they should use to achieve their objective. Enumerate in your response to them the legal and financial bases for advising in favour of one over another or others. **(20 points)**

### **QUESTION THREE (20 POINTS)**

Pingu Limited is a health equipment company with several offices across the African continent. Pingu has been contracted by several hospitals to supply sophisticated X-ray machines. To perform the contract, Pingu will have to raise 10 billion shillings from several lenders to purchase the machines and hire engineers to install, maintain and repair them for the useful life of the machines which is 7 years.

Enumerate for the parties the most important terms their contract or contracts will have to contain for the successful performance of the health facilities project. **(20 points)**