



**STRATHMORE LAW SCHOOL
MASTERS OF LAW (LL.M)
END OF MODULE MAIN EXAMINATION
LLM 8301: INTERNATIONAL BANKING AND FINANCIAL SERVICES LAW**

Date: **Wednesday, 18th January 2023**

Time: **3 Hours**

Instructions

1. This examination consists of **FIVE** questions.
2. Answer **Question ONE (COMPULSORY)** and any other **TWO** questions
3. This is an open-book examination. You may consult any written material you like in preparing to answer the questions. The exam mode for this exam is **OPEN**. However, **DO NOT** use any other bibliography other than the one provided in the course outline.
4. **DO NOT** copy and paste from any online source or from another candidate. The answers will be subject to a plagiarism check and a similarity index of over 30% will automatically lead to disqualification
5. You should spend a fair amount of time organizing your thoughts before starting to write.
6. Careful organization and clarity will be highly valued.
7. Please start each question on a new page.

QUESTION ONE

“Capital has taken on talismanic significance in banking....” (Ker Alexander, 2007)
Explain:

- a) The capital requirements for commercial banks in Kenya. **15 marks**
- b) the role of capital in the regulation of commercial banks **15 marks**

QUESTION TWO

The global financial system provides various best practice standards for the regulation of commercial Banks. Explain the global standards and frameworks that inform domestic regulatory frameworks and the factors regulators need to consider when adopting the standards. **15 marks**

QUESTION THREE

Analyze the mechanisms under the Banking Act that seek to ensure the stability of commercial Banks. **15 marks**

QUESTION FOUR

At a recent meeting of the Council of Ministers of the East African Community (EAC), it was noted that the EAC needed to develop a payments policy to support the integration agenda. You have been invited to make a presentation to the recently established EAC committee on payments on key concerns in relation to cross border payments and policy interventions to address those concerns. **15 marks**

QUESTION FIVE

Explain the role of banks in mitigating the adverse impacts of climate change. **15 marks**