

Introduction and definition of terms

Overview

Communication has improved and evolved to facilitate our daily activities. In the 21st century, everything related to communication utilizes technology to 'send out' or disseminate information to a wider audience. Information can be 'sent out' in many ways. The inventions of cellular phones, television and other electronic devices are important in enhancing communication.

The acronym "ICT" refers to information and communication technology -- artifacts and practices for recording, organizing, storing, manipulating, and communicating information.

Definition of terms

ICT is the technology required for information processing, in particular, the use of electronic computers, communication devices and software applications to convert, store, protect, process, transmit and retrieve information from anywhere, anytime.

Communication is an act of transmitting messages. It is a process whereby information is exchanged between individuals using symbols, signs or verbal interactions. Previously, people communicated through sign or symbols, performing drama and poetry. With the advent of technology, these 'older' forms of communication are less utilized as compared to the use of the internet, e-mail or video conferencing.

TECHNOLOGY

Technology is the use of scientific knowledge, experience and resources to create processes and products that fulfill human needs. Technology is vital in communication

LAW

any set of rules that guide the conduct of individuals/groups in a given set up and is enforced by those in authority. They include the constitution, acts of Parliament and/or rules. Law may start from the family and community levels, to national and international levels. Laws can be written or unwritten.

- **Cha Set of Rules:** Law is a set or body of rules. These rules may originate from customs, acts of parliament, court cases or some other acceptable sources.
- **Guidance of human conduct:** These are enforced to guide human conduct. Human beings follow these rules for their own safety and betterment.
- **Applicable to a community:** These rules apply to specific community state or a business community. The laws of different communities/ state may be different e.g. law in Kenya, Uganda, Tanzania.
- **Change of Rules:** The Law changes over a period of time. It means law is not a static phenomenon. It keeps changing. What was law in Kenya in the 1960s may not be applicable today.
- **Enforcement:** The law must be enforced. Enforcing agencies include the Police, and the Court of law.
- Law should be stable, and consistent
- It is the expression of the will of people

Purposes and functions of Law

Establishing Standards

The law is a guidepost for minimally acceptable behavior in society. Some activities, for instance, are crimes because society (through a legislative body) has determined that it will not tolerate certain behaviors that injure or damage persons or their property. For example, under a typical state law, it is a crime to cause physical injury to another person without justification—doing so generally constitutes the crime of assault. Aid planning

Maintaining Order

This is an offshoot of establishing standards. Some semblance of order is necessary in a civil society and is therefore reflected in the law.

Resolving Disputes

Disputes are unavoidable in a society made of persons with different needs, wants, values, and views. The law provides a formal means for resolving disputes—the court system.

Protecting Liberties and Rights

The constitution and statutes of Kenya and its constituent states provide for various rights. A purpose and function of the law is to protect these various liberties and rights from violations or unreasonable intrusions by persons, organizations, or government

Contracts

A contract is an agreement between two or more parties that gives rights to and imposes obligations on these parties. A legally binding contract is a voluntary agreement reached between the parties that is enforceable in law. A good contract will set out clear expectations in a user-friendly way so that you know how to deal with potential problems or situations.

Breach of contract

Where one of the contracting parties does not perform his promise, it is called breach of contract. The injured party is discharged from performing his part of obligation. Breach of contract may be of two kinds.

(a) Actual Breach

It occurs when a party fails to perform a contract when the performance is due.

Example A agrees to deliver 100 kg sugar to B on Mach 10. But he does not deliver the sugar on that day. This is a actual breach of contract.

(b) Anticipatory Breach

An anticipatory breach of contract occurs before the time fixed for performance has arrived. It may happen in two ways.

(i) Expressed Breach

When a party expresses his intention not to perform the contract before the due date of performance has arrived, it is called express breach.

Example A agrees to sell his Car to B on 30 June. But before that date A inform B that he will not sell the Car to him.

(ii) Implied Breach

When a party does such act which makes the performance of the contract impossible is called implied breach.

Example

'A' promises to sell his Car to B on 30th June. But before that date A sell his Car to C

property law

Property law provides a set of rules as to who has the right to ownership, possession, excluding others from possession and/or ownership, and transfer of property rights to others. Without such rules, anyone could take an item which a person had in his or her possession and not return it, claiming it was theirs to use.

Types of Property

Public property—owned by the government and is used for the benefit of the public (e.g., parks and community centres).

Private property—owned by individuals, corporations, and businesses (e.g., homes, cars, and buildings).

Personal property—chattels which are tangible objects that can be moved, such as furniture and stationary. Choses in action are intangible assets such as artwork, music, and money orders.

Real property—land, buildings, and fixtures.

Tangible (Include land, buildings etc) vs intangible property (artwork, music and literary works, trademarks, genetically engineered plants or animals, and the subject matter of invention

Liability

Liability in common parlance means responsibility. Even in law, liability implies responsibility that the law attaches to wrongs committed by people. Once a person is held responsible for an act or omission which is forbidden under law, there arises the need to provide remedy. Liability or responsibility is the bond of necessity that exists between the wrongdoer and the remedy of the wrong