



BERJAYA BUSINESS SCHOOL

FINAL EXAMINATION

Student ID :

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Student Name :

Subject Code & Name : **DRL 2304 Law for Retail**
Semester & Year : January – April 2017
Lecturer/Examiner : Mr. Anandaselvam Kannan
Duration : 2 Hours

INSTRUCTIONS TO CANDIDATES

- This question paper consists of 3 parts:**
PART A (20 marks) : TWENTY (20) multiple choice questions. Answers are to be written in the Multiple Choice Answer Sheet provided.
PART B (60 marks) : Answer all FOUR (4) essay questions. Answers are to be written in the PART C (20 marks) : Answer Booklet provided.
- Candidates are not allowed to bring any unauthorised materials except writing equipment into the Examination Hall. Electronic dictionaries are strictly prohibited.**
- This question paper must be submitted along with all used and/or unused rough papers and/or graph paper (if any). Candidates are NOT allowed to take any examination materials out of the examination hall.**
- Only ballpoint pens are allowed to be used in answering the questions, with the exception of multiple choice questions, where 2B pencils are to be used.**

WARNING: The University Examination Board (UEB) of BERJAYA University College of Hospitality regards cheating as a most serious offence and will not hesitate to mete out the appropriate punitive actions according to the severity of the offence committed, and in accordance with the clauses stipulated in the Students' Handbook, up to and including expulsion from BERJAYA University College of Hospitality.

Total Number of pages = 7 (Including the cover page)

PART B: SHORT ANSWER QUESTIONS (60 MARKS)
INSTRUCTION(S): There are **FOUR (4)** short answer questions.
Answer all questions in the Answer Booklet(s) provided.

Question 1

In relation to employment law:

- a) Discuss briefly the differences between a contract of service and contract for service. **(4 Marks)**
 - b) Explain briefly any **THREE (3)** differences between civil law and criminal law. **(6 marks)**
 - c) Briefly discuss any **TWO (2)** types of remedies for unfair dismissal. **(5 Marks)**
- Total (15 marks)**

Question 2

In relation to Company Act 1965 and Partnership Act 1961

- a) Discuss briefly any **TWO (2)** differences between a partnership and a company. **(3 marks)**
 - b) Explain the main conditions which are implied by statute in a contract for the sale of goods. **(12 Marks)**
- Total (15 marks)**

Question 3

- a) Discuss the key elements needed to establish negligence in law of tort. **(8 Marks)**
 - b) Explain the principle of vicarious liability using decided case laws. **(7 Marks)**
- Total (15 marks)**

Question 4

In relation to Part X of Contract Act 1950:

- a) The differences between an agent and Principal. **(3 marks)**
 - b) Explain **TWO (2)** ways in which an agency can be created. **(6 marks)**
 - c) **Two (2)** ways in which it can be terminated. **(6 marks)**
- Total (15 marks)**

END OF PART B

PART C: CASE STUDY QUESTION (20 MARKS)

**INSTRUCTION: There is ONE (1) case study question.
Answer the question in the Answer Booklet (s) provided.**

Question 1:

Ever since Albert's wife passed away 2 months ago, Albert has been suffering from depression. On the 10th June 2016, Albert, who lives in Kota Kinabalu, posted a letter to Ryan, who lives in Penang, offering to sell his Lodge for RM 2.5 million, which is much lower than the market value. The reason for the quick sale and low price is because Albert wanted to be united with his only son who lives in England and is unable to run the business. The letter reached Ryan on 16th June. Since it was a good offer Ryan decided to accept the offer by posting his letter of acceptance the very same day. Due to postal delay, Ryan's letter of acceptance only reached Albert on the 20th of July 2016. Normally it only takes six working days. Since there was no reply from Ryan, Albert sold the Lodge to his neighbor on the 18th July for the same price.

Advise Ryan on his prospects of establishing a valid acceptance.

(20 Marks)

END OF EXAM PAPER