



**FACULTY OF BUSINESS**

**FINAL EXAMINATION**

Student ID (in Figures) : 

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Student ID (in Words) : \_\_\_\_\_  
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Course Code & Name : **LAW1533 Legal Aspects for Business**  
Semester & Year : May to August 2020  
Lecturer/Examiner : Christina Chan  
Duration : 3 Hours

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**INSTRUCTIONS TO CANDIDATES**

1. This question paper consists of 2 parts:  
PART A (60 marks) : Answer all FOUR (4) short answer structured questions. Answers are to be written in the Answer Booklet provided.  
PART B (40 marks) : Answer ONE (1) case study question. Answer is to be written in the Answer Booklet provided.
2. Candidates are not allowed to bring any unauthorised materials except writing equipment into the Examination Hall. Electronic dictionaries are strictly prohibited.
3. 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.
4. 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 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.

**PART A (60 marks) Answer all FOUR (4) short answer structured questions supported with decided cases.**

**Answers are to be written in the Answer Booklet provided.**

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1. (a) Explain briefly the definition of an “employee” in the Employment Act 1955 and state how the law determines whether a person is an employee or otherwise. (8 marks)
- (b) Explain the **FOUR (4)** objects under the Occupational Health and Safety Act 1994. (7 marks)
- (Total : 15 marks)
2. (a) State **THREE (3)** ways in which an agency can be terminated. (7 marks)
- (b) State the various types of goods covered by the Hire-Purchase Act 1967. (8 marks)
- (Total : 15 marks)
3. A juice bar owner made a remark to a customer that their fresh juices are made from organic fruits supplied by a local distributor. However, the fruits that were supplied by the local distributor are not organically grown. Explain whether the juice bar owner in this case applied a false trade description to goods and breached any section(s) of the Trade Descriptions Act 2011. (15 marks)
4. (a) Billy, wanted to sell his Harley Davidson bike and advertised it as “Vintage Harley Davidson, made in the year 1979 ....” Zell read the advertisement and immediately view the bike. After seeing the bike, he agreed to buy it. Later, it was discovered that the rear of the bike was part made in 1979 whereas the front part was part made in 2019. Advise Zell as to whether he can take an action against Billy under the Sale of Goods Act 1957. (8 marks)
- (b) Phylise recently bought a pair of goggles meant for a swimming competition from a retail sports store in Kuala Lumpur. The next day, Phylise wanted to try out his new goggles at the swimming pool. Unfortunately, the goggles falls apart and one of Phylise eyes was injured as a result of it. Can Phylise succeed if he sues the retail sports store for breach of an implied term under the Sale of Goods Act 1957? (7 marks)
- (Total : 15 marks)

**End of Part A**

**PART B (40 marks) Answer ONE (1) case study question. Answer is to be written in the Answer Booklet provided.**

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1. Roy, Bernard and Alice formed a partnership to run a lighting business.
- (a) Bernard takes charge of purchasing and sourcing for all the lightings from the local and overseas supplier for their partnership business. In May and before the month is up, Bernard decides to take some monies from the partnership account without informing the other two partners and purchase a sports bike. Is the partnership bound by the said purchase? Give reasons for your answer. (15 marks)
- (b) Alice decides to retire as a partner after working in the partnership for a number of years. Advise Alice as to the legal requirements and mode of giving notice of dissolution of partnership to old and new customers of the partnership. (15 marks)
- (c) Discuss on the formation of a partnership. (10 marks)
- (Total : 40 marks)

**End of Exam Paper**