**BERJAYA**
UNIVERSITY COLLEGE

# FACULTY OF BUSINESS

### FINAL EXAMINATION

Student ID (in Figures)  :

Student ID (in Words)  :

| Course Code & Name | : | **Law 1323 Legal Aspects for Hospitality and Tourism** |
|---|---|---|
| Trimester & Year | : | JAN-APRIL 2023 |
| Lecturer/Examiner | : | RISHINDRAN PARAMANATHAN |
| Duration | : | 2 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 unauthorized 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.

**Total Number of pages = 3 (Including the cover page)**

**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.  Write short notes on the formation of a contract. (15marks)

2.  (a) State FIVE (5) duties of an agent to the principal. (5 marks)

    (b) Mr Leong was instructed by his principal, Mr Ragu to find a double storey house in Seremban for a price not more than RM500,000. Mr Leong found a single storey bungalow of RM400,000 in Nilai and without informing Mr Ragu Mr Leong agreed to buy the bungalow from Mr Chin. Mr Leong had paid a deposit of RM1,000. Explain Mr Ragu's right to the contract in the above situation

    (10 marks)

3.  Describe briefly what is a "hire-purchase agreement." (15 marks)

4.  Differentiate the following terms :

(a) Subordinate Courtst and Superior Courts ( 6 marks)

(b) Contract of Service and Contract for Service ( 3 marks)

(c) Bilateral contract and Unilateral contract ( 3 marks)

(d) Pecuniary losses and Non Pecuniary losses ( 3 marks)

**End of Part A**

**PART B (40 marks)**     **Answer ONE (1) case study question supported with decided cases. The answer is to be written in the Answer Booklet provided.**

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**Supervisor of Syarikat Bahaya, Karim orders newly-hired worker Juan to complete a task in a hurry.**
*Juan: I cannot complete the task without a harness and safety helme*t.

*Karim: a harness and safety helmet is not needed because he can quickly complete the task, and the risk is small.*

**Three co-workers (Fred, Mary, and Moe) tell Juan to hurry up and do what the boss says; he holds up the job.**

*Juan: "I know I can do this quickly once I put on my harness and safety helmet." "I know you are in a hurry. An accident will slow things down; better safe than sorry." "I will get to it as soon as you show me where the harnesses and safety helmets are." "My family is expecting me to come home from work today, so I must wear a harness and safety helmet."*

**The scenario continues:**
 **Juan does not know how to put on the harness properly. When he asks co-workers, they say they are too busy to help him. When Juan asks Karim for help, Karim responds that Juan had best do the job without the harness or he will fire him.**


1.  (a)  Advice Juan of his next cause of action.                                 (15 marks)

   (b)  Briefly explain Syarikat Bahaya`s duties to provide a safe working environment and safety equipment for employees under the Occupational Health and Safety Act 1994.    (10 marks)

   (c)  You are appointed as a legal advisor for Syarikat Bahaya, advise the correct procedure for a domestic inquiry.                                           (15 marks)


                                                              Total  40 marks



**End of Exam Paper**