



**BERJAYA BUSINESS SCHOOL**

**FINAL EXAMINATION**

Student ID (in Figures) : 

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Student ID (in Words) : \_\_\_\_\_  
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Course Code & Name : **LAW1523 Legal Aspects for Hospitality & Tourism**  
Trimester & Year : May to Aug 2022  
Lecturer/Examiner : RISHINDRAN PARAMANATHAN  
Duration : 3 Hours

**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.

**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. (a) Explain the responsibilities of an inns keeper (5 marks)  
  
(b) The Occupational Safety and Health Act 1994 or Act 514 provides the legislative framework for the safety, health, and welfare among all Malaysian workforces. Briefly explain the employers' duties to provide a safe working environment and safety equipment for employees under the Occupational Health and Safety Act 1994. (10 marks)
  
2. (a) Explain FIVE (5) key differences between sole proprietorships and partnerships? (5 marks)  
  
(b) Describe briefly what is a "hire-purchase agreement."? (10 marks)
  
3. Discuss the essential elements to form a valid contract. (15 marks)
  
4. (a) Explain FIVE (5) the duties and responsibilities of a Company Director under the Companies Act 2006. (5 marks)  
  
(b) The law of Agency imposes certain duties both on the Agent and the Principal. Discuss the duties of Agent and Principal separately. (10 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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James is a supervisor at Small Hotel and has worked for them over the last twelve years, he was dismissed without any notice. His manager has claimed that James was incompetent and useless. James has been working for this company for many years now and has never had any problem to date.

After dismissal, James found out that the company did not contribute to his Social Security Organization (SOCSO) for the past 1 year despite the salary being deducted monthly from his salary. He will now need to follow legal procedures to resolve his case.

***Working days - Monday to Friday***

***8.30am - 6.30pm. (Lunch break is 2.00pm-2.30pm).***

***Employees who have completed one year of service and have been confirmed in their position is entitled to 9 days annual leave, 9 days public holidays, 18 days paid sick leave and 45 days paid maternity leave”.***

***Notice of termination – 3 months***

***Employer`s contribution – Nil***

***Benefits – Medical insurance (selected staff)***

*\*Abstract from James s contract of employment*

1. (a) State your opinion over the manager`s action toward James. (15 marks)
- (b) Explain the benefits James is entitled to under the SOCSO` S Employment Injury (EI) Scheme? (10 marks)
- (c) Explain FIVE (5) factors to be considered when it comes to retrenchment in Malaysia (5 marks)
- (d) Critically analyze James`s contract and state your view on the terms of his employment (15marks)

**End of Exam Paper**