



BERJAYA BUSINESS SCHOOL

FINAL EXAMINATION

Student ID :

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Student Name : _____

Subject Code & Name : **DEV 2304 INTRODUCTION to LEGAL ISSUES in EVENTS**
Semester & Year : May – August 2017
Lecturer/Examiner : R.Sathyavathy
Duration : 2 Hours

INSTRUCTIONS TO CANDIDATES

1. This question paper consists of 3 parts:
PART A (10 marks) : TEN (10) multiple choice questions. Answers are to be written in the Multiple Choice Answer Sheet provided.
PART B (65 marks) : THREE (3) short answers. Answers are to be written in the Answer Booklet provided.
PART C (25 marks) : Answer one (1) Essay question 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 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 = 5 (Including the cover page)

Part A: Answer all questions

Instructions: Answer all Questions in the Booklet

1. Which of the following legislation is for company matters:
 - A. Company Act 1956.
 - B. Company Act 1965.
 - C. Corporation Act 2015
 - D. Corporation Act 2011.

2. The corporate veil:
 - A. Enables a registered company to buy and sell property.
 - B. Can be lifted when major shareholders and directors demand it.
 - C. Can be lifted when all shareholders and directors demand it.
 - D. Can be lifted in cases of blatant tax avoidance and the reckless incurring of debts by directors.

3. The following are ways in which a partnership can be terminated **EXCEPT**:
 - A. Frustration.
 - B. Performance.
 - C. Illegality.
 - D. Death of one partner.

4. Which of the following is **not** an element to prove Duty of Care
 - A. Remoteness.
 - B. Foreseeability.
 - C. Proximity of Relationship.
 - D. Just, Fair and Reasonable.

5. Identify which of the following is not Intellectual Property
 - A. Copyright.
 - B. Designs.
 - C. Patents.
 - D. Musical Rights.

6. Under the Copyright Act 1987, the duration of the copyright is for:
- A. 50 years after the calendar year in which the author died
 - B. 55 years after the calendar year in which the author died
 - C. 70 years after the calendar year in which the author died
 - D. 150 years after the calendar year in which the author died
7. John was driving his car when it collided with Winnie who was walking on the sidewalk. Winnie is suing John for compensation for her injuries. To what standard will Winnie have to prove her case?
- A. Beyond all reasonable doubt.
 - B. On the balance of probabilities.
 - C. Reasonable person test.
 - D. Achieving the balance of justice between the parties.
8. Identify which is not a form of Director's Duties
- A. Statutory duties
 - B. Fiduciary duties
 - C. Duties to act with due care and diligence
 - D. Duty to take reasonable care
9. Which case established the three stage test for Duty of Care
- A. Donoghue v Stevenson
 - B. Caparo v Dickman
 - C. Barnett v Chelsea Kensington Hospital Management
 - D. Carlil v Carbolic Smoke Balls Ltd
10. Test for contract for service is all except:
- A. Control Test
 - B. Business Integration Test
 - C. The Economic Test
 - D. The But For Test

Part B: THREE (3) SHORT QUESTIONS

INSTRUCTIONS: ANSWER ALL QUESTIONS IN THE ANSWER BOOKLET PROVIDED

Question 1

- a. Define Vicarious Liability.

5 marks

- b. In what ways may an agency be created? Explain at least 3.

15 marks

(Total 20 marks)

Question 2

- a. State the legal principle on company law established by the case **Salomon v Salomon & Co Ltd**. Explain the facts of the case with the relevant principle.

10 marks

- b. Explain the FOUR (4) types of Employment dismissals.

10 marks

(Total 20 marks)

Question 3

- a. Define Intellectual Property. What are the types of Intellectual Property? Explain how each can be protected.

15 marks

- b. If a partnership, plans to engage John to manage the business and the terms of employment is that John will participate in the profit of the business, is John a partner. Give reasons.

10 marks

(Total 25 marks)

Part C: Answer the Question in the Booklet provided

Mrs. Lim was driving her new car when it knocked into Mr. Moo a pedestrian, who was walking across the road. Mr. Moo could have easily seen Mrs. Lim's car approaching. Mrs. Lim saw Mr. Moo walking across the road but she was so excited over her new car that she forgot to step on her brakes. Mr. Moo is injured as a result of the accident. He now wants to bring an action in Negligence against Mrs. Lim. Advise him as to his chances of success in this case. Use all the elements to prove negligence. (Duty of Care, Breach of that duty, Causation and Foreseeability).

(Total 25 marks)

End of Question Paper