



FACULTY OF BUSINESS

FINAL EXAMINATION

Student ID (in Figures) :

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Student ID (in Words) : _____

Course Code & Name : **LAW1333 Legal Aspects for Business**
Semester & Year : May to August 2020
Lecturer/Examiner : Christina Chan
Duration : 2 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.

1. (a) Under what circumstances can an employee terminate a contract without notice. (5 marks)
- (b) Explain the **FOUR (4)** objects under the Occupational Health and Safety Act 1994. (10 marks)

(Total : 15 marks)

2. Explain the following with reference to decided cases:-

- (a) Agency by necessity (5 marks)
- (b) Duty of agents not to receive secret profit (5 marks)
- (c) Termination of agency by revocation (5 marks)

(Total : 15 marks)

3. During the summer holidays, Sandra decided to pay a visit to Beautiful Beach on Sandy Island known for their beautiful sceneries. Sandra decided to book a holiday via Best Holiday Sdn. Bhd. based on their brochure advertised package holidays on Sandy Island. It described that the hotel shall be providing a bungee jumping expedition as part of the holiday package. However, upon arrival at Beautiful Beach on Sandy Island, Sandra discovered that the bungee jumping expedition was not part of the holiday package. Has Best Holiday Sdn. Bhd. breached any sections of the Trade Descriptions Act 2011? Identify the relevant sections and give reasons as to why it is a breach.

(15 marks)

4. (a) Ray bought a pair of running shoes from Smart Shoes Sdn. Bhd. as he has to take part in a marathon in a weeks time. Unfortunately, during the marathon, the sole of the running shoes that he bought from Smart Shoes Sdn. Bhd. came off. Can Ray take an action against Smart Shoes Sdn. Bhd. under the Sale of Goods Act, 1957? Identify the relevant sections and give reasons.

(8 marks)

- (b) What are the three (3) remedies available to a buyer when a seller is in breach of a sale of goods contract?

(7 marks)

(Total : 15 marks)

End of Part A

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

1. (a) Audrey, Bandy and Claude formed a partnership specializing in supplying car spare parts to the car repair shops in Klang Valley. The business was successful for a number of years but has run into considerable difficulties in the past year. Without telling the other partners, Bandy took RM200,000.00 from the partnership's bank account to purchase some new machineries for their partnership business. Bandy defaulted in the machineries' installment payments. Advice Audrey and Claude as to whether the partnership is bound by Bandys' purchase of the machineries.

(25 marks)

- (b) Explain **FIVE (5)** differences between a partnership and a company.

(15 marks)

(Total : 40 marks)

End of Exam Paper