

FINAL ALTERNATIVE ASSESSMENT

Examination Paper

(COVER PAGE)

Session : April 2021

Programme : Diploma In Business Management (DBMS)

Course : WLAW1111 : Business Law

Date of Examination : August 8, 2021 (Sunday)

Time : 4:00 pm – 6:30 pm Reading Time : Nil

Duration : 2 Hours : 30 Minutes

Note: 30 minutes is added into the duration of the examination to factor in any connectivity matters and for you to scan and upload your scripts.

Special Instructions :

Answer **ALL** the questions. **Write ALL your answers** in the foolscap papers.

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : Siti Baqiuratul Zahraa', Sharvina Shajahan and Nurnazida

Chief Moderator : Christopher Alex Johnson

This paper consists of 3 printed pages, including the cover page

DIPLOMA IN BUSINESS MANAGEMENT PROGRAMME (DBM)
WLAW1111: BUSINESS LAW
FINAL ALTERNATIVE ASSESSMENT: APRIL 2021 SESSION

Instructions: This paper consists of **FOUR (4)** essay questions (25 marks each). Answer **ALL** questions.

Question 1

- (a) Explain the differences between a proposal and an invitation to treat.

(10 marks)

- (b) Kamilah entered into contract with Suka Suki Sdn Bhd for the purchase of 10 new sets of dining table for her restaurant. One of the terms of the contract stated “goods sold are not returnable after 14 days of acceptance and Suka Suki Sdn Bhd will not be held liable for any defects, if not returned within 14 days of acceptance.” Kamilah was busy with her customers at the restaurant when she signed the agreement, so she did not read the terms. After one month of using the dining tables, she noticed that there was defect in some of the tables. Kamilah called Suka Suki Sdn Bhd to return the tables but was ignored.

She is planning to take legal action against Suka Suki Sdn Bhd. Advise Kamilah.

(15 marks)

Question 2

- (a) Aunty Tini is running a business selling nasi lemak in Kuala Lumpur. Her business is doing well so she converted her business into a private limited company, Aunty Tini’s Kitchen Sdn. Bhd. with plans to expand it further in the future. For that purpose, she borrowed RM10,000 from Bank Kaya under the name of her new company. However, things took a turn after the Movement Control Order was announced by the government last year and her business is suffering. She is not able to pay the monthly instalment to Bank Kaya.

Bank Kaya is now suing Aunty Tini personally to recover the balance of the loan. Advise Aunty Tini.

(15 marks)

- (b) Discuss the differences between Company Limited by Shares and Company Limited by Guarantee under the Companies Act 2016.

(10 marks)

Question 3

- (a) Nani went to a furniture shop to buy a sofa set. She was given a catalogue and she ordered a cream-coloured sofa with three matching cushions similar to those in the catalogue. The furniture shop delivered the sofa set after two weeks of waiting. However, the colour of the sofa set was brown, the cushions were red, and when Nani sat on it the cushion came apart where all the sponges came out. Advise Nani with reference to the Sale of Goods Act 1957. **(15 marks)**
- (b) With references to the Sales of Goods Act 1957, explain the differences between a condition and a warranty. **(10 marks)**

Question 4

- (a) The courts have formulated several tests to determine whether a person is an employee or an independent contractor. Discuss. **(15 marks)**
- (b) Alissa has been working with Tutu Bhd for 5 years. Recently, she had to report to a new manager, Mr. Yahya. After a week, she was called by Mr. Yahya and was given a letter of termination without any reasons. Alissa is disappointed and wants to know the remedies available for unfair dismissal. Advise Alissa. **(10 marks)**

- The End -

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