

 **INTI** International
University & Colleges

FINAL
Examination Paper

(COVER PAGE)

Session : JANUARY 2018

Programme : Diploma in Business (DIB)

Course : LAW2100/2104: Foundation of Business Law

Date of Examination : 8 March, 2018 (Thursday)

Time : 8:00 am – 10:00 am Reading Time : Nil

Duration : 2 Hours

Special Instructions :

This paper consists of SIX (6) questions. Attempt any FOUR (4) in the answer booklet provided.

All questions carry equal marks.

Materials permitted : Nil

Materials provided : Nil

Examiner(s) : Dr Tan Seng Teck and Gary Solibun

Moderator : Dr Chan Wai Meng

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

DIPLOMA IN BUSINESS PROGRAMME(DIB)
LAW2100/2104: FOUNDATIONS OF BUSINESS LAW
FINAL EXAMINATIONS: JANUARY 2018 SESSION

Instruction: This paper consists of **SIX (6)** questions. Answer any **FOUR (4)** questions in the answer booklet provided. All questions carry equal marks.

Question 1

Explain the *advantages* and *disadvantages* of delegated legislation. Explain also how delegated legislation may be *controlled*.

(25 marks)

Question 2

“The doctrine of *stare decisis* is an important concept and significantly contributes to the development of law in Malaysia” (The Examiner 2017).

Explain briefly the concept of *stare decisis*, its contributions and limitations in the development of law.

(25 marks)

Question 3

James is a carpenter and specializes in refurbishing old apartments. James received a sub contract from X Sdn Bhd to refurbish 6 (six) units of old flats in Tanjung Malim. The contract states that the total amount payable for the refurbishment is RM500,000 and James will have to complete the project by September 2018. However, James realized that he underestimated the costs of repair which now exceeds RM650,000. James approached X Sdn Bhd and demanded an extra RM200,000 to complete the project, which if not, he threatened to halt the works. X Sdn Bhd agreed with the extra payment because they were worried that the project might be delayed and legal repercussions that might ensue. James completed the project on time and now demanded the extra payment of RM150,000.

Advise James if he has legal right to demand for the extra payment as promised

(25 marks)

Question 4

John has a Skyline GTR35 for urgent sale. On 21st February 2018, John wrote to Mango stating his intention to sell the car. The letter reads “Hey Mango, I know you love the car, I am letting it go at RM200,000. This is a good price and urgent sale. Please do let me know your answer as soon as possible”. The letter reached Mango on 23rd February. Mango read the offer and is very keen to accept it. On the same day, Mango replied “Hey John, very glad with your offer. Can I offer you RM180,000 for this car? Short of cash now. If not possible, I will accept it at your price”. The letter was lost in post and never reached John until 30th February 2018 when John had already sold the car to Janon on 29th February.

Advice Mango if she can take any legal actions against John (25 marks)

Question 5

Xavier wants to start of a new business in trading traditional Chinese herbs. Xavier wants to import precious herbs from China to be sold and distributed in Malaysia as there is growing market demand for alternative medicine. However, Xavier is worried of the political and legal risks associated with herbs trading in Malaysia due to stringent legal controls. Xavier is contemplating of setting up a limited liability for his new venture.

As the company secretary for Xavier, advise him on the advantages and disadvantages of setting up a limited liability company for his new venture.

(25 marks)

Question 6

Explain the differences between a *contract of service* and a *contract for service* in employment law. State also any two significances of this distinction.

(25 marks)

~THE END~

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