



UNIVERSITI KUALA LUMPUR
Malaysian Institute of Marine Engineering Technology

FINAL EXAMINATION
JANUARY 2016 SESSION
QUESTION

SUBJECT CODE : LGB 30603
SUBJECT TITLE : BUSINESS LAW
LEVEL : BACHELOR
TIME / DURATION : 3 HOURS
DATE/ DAY : 30 MAY 2015 (MONDAY)

INSTRUCTIONS TO CANDIDATES

1. Please read the instructions given in the question paper CAREFULLY.
 2. This question paper is printed on both sides of the paper.
 3. Please write your answers on the answer booklet provided.
 4. Answer should be written in blue or black ink except for sketching, graphic and illustration.
 5. This question paper consists of one section, Section A. Choose and answer only FOUR (4) questions.
 6. Answer all questions in English.
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THERE ARE FOUR (4) PAGES OF QUESTIONS, EXCLUDING THIS PAGE.

SECTION A (Total: 100 marks)

INSTRUCTION: Choose and answer only FOUR (4) questions. Please use the answer sheet provided.

NOTE: Students must support answers with related Section, Act and Case in your explanation.

Question 1: Partnership Act: 25 Marks

- a) Describe **Definition and Nature of a Partnership.** (5 marks)
- b) Explain the case from **Ratna Ammal & Anor Vs Tan Chow Soo.** (5 marks)
- c) Differentiate the differences between these **TWO (2)** types of a Partnership:
- i) **Active Partnership.** (5 marks)
 - ii) **Quasi Partnership.** (5 marks)
- d) Aminurrashid, Kammal and Azzrul are partners in AKA Enterprise sells marine related components items. One day, Kammal wants to retire as a partner. Advise Kammal as to the legal requirements and mode of giving notice of dissolution of partnership to old and new customers of AKA Enterprise. Justify. (5 marks)

Question 2: Agency Act: 25 Marks

- a) Describe **Definition and Nature of an Agency.** (5 marks)
- b) Explain the case from **Wan Salimah Bte Wan Jaafar V Mahmood Bin Omar** from the perspective of **Power of Attorney.** (5 marks)
- c) Differentiate the differences between these **TWO (2)** types of an Agent:
- i) **Broker.** (5 marks)
 - ii) **Factor.** (5 marks)
- d) Identify **FIVE (5) Duties of an Agent to his/ her Principal.** (5 marks)

Question 3: Contract Act: 25 Marks

- a) Describe Definition and Nature of a Contract. (5 marks)
- b) Interpret a case from **Carlill V Carbolic Smoke Ball Co. Ltd.** (5 marks)
- c) Differentiate these **TWO (2)** Types of a Contract:
- i) **Capital Work Contract.** (5 marks)
 - ii) **Leasing Contract.** (5 marks)
- d) Explain Discharge of a Contract by Breach. (5 marks)

Question 4: Sales of Goods Act: 25 Marks

- a) Clarify the Definition of "Goods" in Sales of Goods Act. (5 marks)
- b) Discover **FOUR (4)** Elements in the Formation of a **SOGA.** (5 marks)
- c) Illustrate the case from **Nargundas Purshotumdas & Co Vs Mitsui Bussan Kaishda Ltd.** (5 marks)
- d) Hannan and Munawwir are neighbours. One day, Hannan bought a bottle of milk from a provision shop, Zulfaqqeh Shop. After drinking that bottled drink, Munawwir became ill due to a decomposed earthworm in the bottle.
Can Hannan succeed if he sues Zulfaqqeh Shop for **Breach of an Implied Term in the contract of sale.**
Explain. Support your answer with relevant act, section and one related case. (10 marks)

Question 5: Hire Purchase Act: 25 marks

- a) Express Definition of a Hire-Purchase Agreement. (5 marks)
- b) Describe the Formation and Content of HPA. (5 marks)
- c) Identify THREE (3) Obligations of Hirer in HPA. (5 marks)
- d) Seng Heng Manjung Sdn Bhd sells sewing machines on cash terms and on a hire-purchase. Ms Iffa, a housewife bought a new sewing machine from Seng Heng Manjung Sdn Bhd on hire purchase. Upon reaching home, Ms Iffa wanted to sew a new silk shirt for her beloved husband's birthday. However, instead of sewing the pieces of silk cloth together, the sewing machine merely made holes in the silk cloth.
Advise Ms Iffa as to her rights under the law on hire-purchase. (10 marks)

END OF QUESTION

