



FINAL EXAMINATION
MARCH 2024

COURSE TITLE	INTRODUCTION TO MALAYSIAN CONSTITUTION
COURSE CODE	MPU3313
DATE/DAY	28 JUNE 2024 / FRIDAY
TIME/DURATION	09:00 AM - 11:00 AM / 02 Hour(s) 00 Minute(s)

INSTRUCTIONS TO CANDIDATES :

1. Please read the instruction under each section carefully.
2. Candidates are reminded not to bring into examination hall/room any form of written materials or electronic gadget except for stationery that is permitted by the invigilator.
3. Students who are caught breaching the Examination Rules and Regulation will be charged with an academic dishonesty and if found guilty of the offence, the maximum penalty is expulsion from the University.

(This Question Paper consists of 8 Printed Pages including front page)

*****DO NOT OPEN THE QUESTION PAPER UNTIL YOU ARE TOLD TO DO SO*****

This question paper contains TWO (2) sections. Answer ALL questions in the answer booklet provided. [50 MARKS]

SECTION A

(30 Marks)

There are THIRTY (30) questions in this part. Answer ALL questions in the answer booklet.

1. Article _____ of the Federal Constitution declares that the Federal Constitution is a supreme law of the land.
 - A. 3(1)
 - B. 4(1)
 - C. 5(1)
 - D. 6(1)

2. Written laws in Malaysia consist of the following, EXCEPT _____.
 - A. Federal Constitution
 - B. Legislation
 - C. Delegated Legislation
 - D. Custom

3. The following are the examples of subsidiary legislations in Malaysia, EXCEPT _____.
 - A. Civil Aviation Regulation 2016
 - B. By-Law (Compounding Offences)(MBI)(Amendment)1992
 - C. Contracts Act 1950
 - D. Employment (Termination and Lay-Off Benefits) Regulation 1980

4. The body of rules formulated, developed and administered by the English courts that apply judgements by the English Courts in case decision is referring to _____.
 - A. Legislation
 - B. Common Law
 - C. Equity
 - D. Custom

5. The doctrine of _____ means in situations where the material facts are similar, a court must follow the previous decision as well as the previous decision of a court of the same level.
 - A. stare decisis
 - B. obiter dicta
 - C. res ipsa loquitor
 - D. ratio decidendi

6. The mandatory precedent is _____.
- A. the decisions of lower courts are binding over superior courts
 - B. the decisions of the superior courts are binding on the lower court or the superior courts are bound by their own decision previously.
 - C. the decisions of the superior courts are not binding on the lower courts or the superior courts are bound by their own decision previously.
 - D. the decisions of the superior courts are binding each other.
7. The following are the superior courts in Malaysia, EXCEPT _____.
- A. Sessions Court
 - B. High Court
 - C. Court of Appeal
 - D. Federal Court
8. What is the maximum imprisonment the Syariah Court can impose on the criminal offender based on the Syariah Courts (Criminal Jurisdiction) Act 1965?
- A. 6 months imprisonment
 - B. 12 months imprisonment
 - C. 2 years imprisonment
 - D. 3 years imprisonment
9. Kamal did not fast during Ramadan. He was caught eating at 1 pm near the Sultan Ahmad Bridge. Which court can hear Kamal's case?
- A. Native Court.
 - B. Sessions Court
 - C. Magistrate Court
 - D. Syariah Court
10. Jenny Ursula and Peter James are from the Kadazan tribe. They have a dispute over customary land in Panampang, Sabah. Which court has jurisdiction to hear their matter?
- A. Native Court.
 - B. Sessions Court
 - C. Magistrate Court
 - D. Syariah Court
11. Itqaan Al Muluk bi ta'dil al- Suluk is a special name for the constitution of _____.
- A. Johor
 - B. Terengganu
 - C. Kedah
 - D. Selangor

12. The first general election of Malaya took place on _____.
- A. 1955
 - B. 1956
 - C. 1957
 - D. 1958
13. The first general election witnessed that Tunku Abdul Rahman was appointed as the first Prime Minister of Malaya in which the Alliance Party won _____ over 52 seats of Parliament.
- A. 48
 - B. 49
 - C. 50
 - D. 51
14. Article _____ of the Federal Constitution mentions that all state Constitutions are required to incorporate some "essential provisions" mandated by the Eighth Schedule of the Federal Constitution.
- A. 71
 - B. 72
 - C. 73
 - D. 74
15. The organs of government consist of the following, EXCEPT _____.
- A. Judiciary
 - B. Executive
 - C. Legislative
 - D. Privy Council
16. According to Sufian LP in the case of *Ah Tian v Government of Malaysia* [1976] 2 MLJ 112, Malaysia applied the doctrine of _____, where the power of Parliament and the state legislature in Malaysia is limited and they cannot make a law that they please.
- A. parliamentary supremacy
 - B. constitutional supremacy
 - C. monarchy
 - D. aristocracy

17. Which of the following is **NOT** a member of the executive?
- A. Public Servant
 - B. Prime Minister
 - C. Cabinet Minister
 - D. House of Senate
18. Article 32(1) of the Federal Constitution, Yang di-Pertuan Agong (YDPA) shall be the Supreme _____.
- A. Head of Government
 - B. Head of Federation
 - C. Head of Minister
 - D. Head of Justice
19. Yang di-Pertuan Agong (YDPA) shall be elected by _____ for a term of five years.
- A. Prime Minister
 - B. Cabinet minister
 - C. Chief Judge
 - D. Conference of Rulers
20. Who is Malay?
- I. Domicile of origin is in Malaysia
 - II. Muslim
 - III. Follow Malay custom
 - IV. Habitually speaks Bahasa Melayu
- A. I, II & III
 - B. I, II & IV
 - C. I, III & IV
 - D. All of the above
21. Munshi Adabi was born in 1986 in Songkla, Thailand. He is a dedicated Muslim, habitually speaks Malay and has following Malay customs since 1987. He wears baju melayu during Eid, eat ketupat, lemang and rendang during festival. Which of the criteria of Malay that he fails to prove according to Article 160 of the Federal Constitution?
- A. Religion
 - B. Custom
 - C. Domicile
 - D. Language

22. Special privileges of Malays, Bumiputera Sabah Sarawak and other communities are mentioned in Article _____ of the Federal Constitution.
- A. 153
 - B. 154
 - C. 159
 - D. 160
23. Citizenship of Malaysia can be acquired by the following, EXCEPT _____.
- A. registration
 - B. naturalization
 - C. operation of laws
 - D. renunciation
24. Any foreign wife of a Malaysian citizen (the marriage must have been registered under Malaysian law) is entitled to be registered as a Malaysian citizen if she satisfies the Federal Government that she has resided in Malaysia throughout the _____ preceding her citizenship application and intends to do so permanently, and is of good character.
- A. 5 years
 - B. 4 years
 - C. 3 years
 - D. 2 years
25. A constitution can be amended by 2/3 absolute majority from both houses together with the consent of a conference of rulers on the following matters:-
- I. the appointment of Prime Minister.
 - II. the status of Islam as the Federal religion
 - III. status of Malay language as an official language of the federation
 - IV. provision involving Malays and Bumiputera
- A. I, II & III
 - B. I, II & IV
 - C. I, III & IV
 - D. II, III & IV

26. An absolute majority of 2/3 means _____.
- A. the Dewan Rakyat at least 148 of its 222 members must vote in favour and for the Dewan Negara, 47 out of 70 must vote in favour.
 - B. the Dewan Rakyat at least 112 of its 222 members must vote in favour and for the Dewan Negara, 37 out of 70 must vote in favour.
 - C. the Dewan Rakyat at least 148 of its 248 members must vote in favour and for the Dewan Negara, 47 out of 80 must vote in favour.
 - D. the Dewan Rakyat at least 112 of its 248 members must vote in favour and for the Dewan Negara, 37 out of 80 must vote in favour.
27. A Special Court established from the 1993 Constitutional amendment to try a Sultan who is facing civil or criminal proceedings as provided in Article _____ of the Federal Constitution.
- A. 32
 - B. 35
 - C. 182
 - D. 183
28. The minimum age of voters in Malaysia has been amended by the Constitution (Amendment) Act 2019 to _____.
- A. 17 years old
 - B. 18 years old
 - C. 20 years old
 - D. 21 years old
29. How much constitutes the simple majority for the House of Representatives in amending the Constitution?
- A. 111 members voted in favour.
 - B. 112 members voted in favour.
 - C. 113 members voted in favour.
 - D. 114 members voted in favour.
30. The Minister of Home Affairs tables in Parliament a proposal to amend the constitution by granting a foreign husband citizenship by registration as per Article 15 of the Federal Constitution. How much does the Parliament need to approve this amendment?
- A. It may be made by a simple majority in Parliament.
 - B. It may be made by a 2/3 absolute majority of both Houses and the consent of the Governor of the East Malaysian state concurs.
 - C. It can be made by a 2/3 absolute majority of both Houses and consent from the Conference of Rulers.
 - D. It can be made by approval from the minister meeting.

SECTION B

(20 Marks)

There are **THREE (3)** questions in this section. Answer **ALL** questions in the answer booklet.

1. Imagine you are a Human Rights Activist in Malaysia. You are required to select **ONE (1)** fundamental right as available in the Federal Constitution of Malaysia and do the following: -
 - a) Draw a simple poster of the selected fundamental right. (5 marks)
 - b) Briefly explain the selected fundamental right. (5 marks)
2. List **FIVE (5)** roles of Yang di-Pertuan Agong (YDPA). (5 marks)
3. Briefly discuss the members of public services. (5 marks)

*** END OF QUESTION PAPER ***

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