



FINAL EXAMINATION
MARCH 2024

COURSE TITLE	INTRODUCTION TO LAW
COURSE CODE	FLAW0114
DATE/DAY	12 JUNE 2024 / WEDNESDAY
TIME/DURATION	09:00 AM - 12:00 PM / 03 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 12 Printed Pages including front page)

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

This question paper consists of THREE (3) sections.

[100 MARKS]

SECTION A

(40 Marks)

There are FORTY (40) questions in this part. Answer ALL questions in the OMR sheet.

1. Which of the following is **NOT** a function of law?
 - A. Preservation of a moral order
 - B. Violation of law is acceptable
 - C. Ensure that everybody is equal before the law
 - D. Protects us from complete social disorder and anarchy

2. What is the term used for the law decided in courts?
 - A. Common law
 - B. European Union law
 - C. European Convention on Human Rights
 - D. Statutes

3. In English legal systems, Acts of Parliament are passed by both Houses. Choose these two houses:
 - A. House of Lords and the Senate
 - B. House of Representative and House of Lord
 - C. House of Commons and House of Lords
 - D. House of Senate and House of Common

4. When someone has been accused of a criminal offence, what term is used to call them?
 - A. Lawyer
 - B. Coroner
 - C. Prosecutor
 - D. Defendant

5. Which of the lists below consists of the three main divisions of law?
 - A. Public law, private law and international law
 - B. Public law, international law and criminal law
 - C. Criminal law, constitutional law and international law
 - D. International law, criminal law and common law

6. Private law is concerned with matters that affect the rights and duties of individuals amongst themselves. Below are the branches of law which govern private obligations **EXCEPT**
- A. law of trust
 - B. law of tort
 - C. criminal law
 - D. contract law
7. What is the term used for a type of crime such as murder, rape and kidnapping that results in more than a year jailtime?
- A. Felony
 - B. Misdemeanour
 - C. Subpoena
 - D. Alibi
8. Written law in Malaysian legal systems comprise of the following **EXCEPT**
- A. subsidiary legislation made by persons or bodies under powers conferred on them
 - B. legislation enacted by Parliament and the state assemblies
 - C. the federal and state
 - D. judicial precedents
9. Which of the following is the disadvantage of precedents?
- A. Promote consistency, coherence and certainty
 - B. Ensuring equality and fairness
 - C. Slow in responding to the changes
 - D. Promote efficiency and justice
10. _____ is the set of legal principles in countries that follows the English common law tradition, which supplement strict rules of law where their application would operate harshly, so as to achieve what is sometimes referred to as "natural justice".
- A. Tort
 - B. Lawyer
 - C. Equity
 - D. Contract

11. What is the meaning of the Latin word 'lex'?
- A. Justice
 - B. Law
 - C. Precedent
 - D. Legal
12. "It is an appellate court and is divided into two divisions, Criminal and Civil". Which court is this statement referring to?
- A. Supreme court
 - B. Court of Appeal
 - C. Magistrates' court
 - D. Session court
13. When you took photographs in the hospital near the critical patient, which situation is best to describe in a legal and ethical context?
- A. Legal and ethical
 - B. Not legal and ethical
 - C. Legal but not ethical
 - D. Not legal and unethical
14. Law in Malaysia originated from a few countries **EXCEPT**
- A. England- Common law
 - B. India- Criminal law and Contract law
 - C. Australia- Land Law
 - D. United States- Common law
15. Why is it necessary to have rules and legislation?
- A. To collect material possession
 - B. To make us happy and cheerful
 - C. To keep us safe and maintain order
 - D. To fur behind the culpability

16. Yang Di-Pertuan Agong (YDPA) has the power to make appointments for the following positions **EXCEPT**
- A. Senators
 - B. Prime Minister
 - C. Federal judges
 - D. Members of Parliament
17. Which of the following is **NOT** the matter under the list of the federal government?
- A. External affairs
 - B. Buying hectares of land
 - C. National defence
 - D. Citizenship
18. Which of these are the correct rules when the courts have to interpret the wording of an Act of Parliament?
- I The Literal rule
 - II The Golden Rule
 - III The Mischief Rule
 - IV The Bilateral rule
- A. I, II and IV
 - B. II, III and IV
 - C. I, II and III
 - D. All of the above
19. Which of the following is **NOT** the power of judiciary?
- A. to understand bills
 - B. to advise on the law-making
 - C. to interpret the constitution
 - D. to translate the law
20. A means by which parties to a dispute get the same settled through the intervention of a third person but without having recourse to a court of law. Which of the following term is related to the statement?
- A. Arbitration
 - B. Conciliation
 - C. Alternative Dispute Resolution
 - D. Chambering

21. "The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government - lest it come to dominate our lives and interests." Who quotes this statement?
- A. Patrick Henry
 - B. Partington
 - C. Samuel Adams
 - D. James
22. Who is known as the head of judiciary in Malaysia?
- A. Prime Minister
 - B. Prosecutor
 - C. Judge
 - D. Chief Justice
23. Which of these countries is a member of the European Union?
- A. Norway
 - B. United Kingdom
 - C. Croatia
 - D. China
24. What is the necessary element for an international dispute to fall under the competence of the International Court of Justice (ICJ)?
- A. It must be related to legal disputes
 - B. It must be between states
 - C. Both parties must have consent over the ICJ decision
 - D. All of the above
25. What is the basic function of the court?
- A. To form a new law
 - B. To ensure the stability of the economics
 - C. To resolve the dispute between two parties
 - D. To produce bills and enactment

26. Where is the origin of the principle of duty of care?
- A. International law
 - B. Donoghue Vs Stevenson 1932
 - C. Criminal Justice Act of 1988
 - D. Common law
27. What type of constitution does New Zealand have?
- A. Uncodified constitution
 - B. Codified constitution
 - C. Unitary constitution
 - D. Flexible constitution
28. Failure to give care that is normally expected of a person in a particular position is known as _____.
- A. assault
 - B. abuse
 - C. malpractice
 - D. negligence
29. Which of the following is a rule in respect to acknowledgement of precedent?
- A. Appellate courts can set precedent.
 - B. Every court is bound to follow the decisions of superior courts.
 - C. A court of record does not have to follow the precedent of a higher court of record.
 - D. Courts in a different jurisdiction are not required to follow precedents set by the Supreme Court.
30. "There are also specialist quasi legal authorities who have been appointed to deal with complaints about an organisation and there's a way of trying to resolve a complaint without going to court. Which of the quasi-legal authority this statement refers to?
- A. Ombudsmen
 - B. Ultra Vires
 - C. Intra Vires
 - D. Eligibility

31. Which of the following are considered as Merits of Alternative Dispute Resolution (ADR)?
- I may choose to have a mediator who is an expert in the area related to the dispute.
 - II save a lot of money, including fees for lawyers and experts, and work time lost.
 - III save a lot of time by allowing resolution in weeks or months.
 - IV Private setting or 'behind closed doors' to preserve secrecy.
- A. I, II and III
 - B. II, III and IV
 - C. I, III and IV
 - D. I, II, III and IV
32. The independence of the British judiciary is supposed to be protected in three ways **EXCEPT**
- A. the way in which judges are selected
 - B. their security of tenure
 - C. their political neutrality
 - D. their economic dependency
33. Which United Nations body approved the Universal Declaration of Human Rights in 1948?
- A. The International Court of Justice
 - B. The General Assembly
 - C. The Security Council
 - D. The Secretariat
34. "These courts have jurisdiction only over persons professing the religion of Islam". Which court is this referring to?
- A. Magistrate Court
 - B. Tribunals
 - C. International Court
 - D. Shariah Court
35. A study of the relationship between law and morals can be made from three angles **EXCEPT**
- A. Morals as the basis of corrupt
 - B. Morals as the basis of law codes
 - C. Morals as the test of (positive) law
 - D. Morals as the end of law

36. Which of the following refers to Subsidiary Legislation?
- I Regulations
 - II Orders
 - III Rules
 - IV Enactments
- A. I, II and III
 - B. I, II and IV
 - C. II and III
 - D. II, III and IV
37. What is called an agreement between the defendant and the prosecutor in which the defendant admits to doing the crime so he can get a shorter sentence?
- A. Testimony
 - B. Plea Bargain
 - C. Cross examination
 - D. Settlement
38. Which of the following shall **NOT** present at any sitting of a Court for Children?
- A. Members of the court
 - B. Children who are the parties to the case
 - C. Officers of the court
 - D. Relatives
39. Which of the following is **NOT** related to the jurisdiction of Sessions Court?
- A. Try all actions and suits of a civil nature in respect of motor vehicle accidents
 - B. Try all other actions and suits of a civil nature where the subject matter does not exceed RM 1million
 - C. Hear appeal case
 - D. All of the above
40. If a judge applies an existing rule of law without extending it, his decision may be called a _____.
- A. declaratory precedent
 - B. decided precedent
 - C. original precedent
 - D. sound precedent

SECTION B

(20 Marks)

There are **TWENTY (20)** questions in this part. Answer 'True' or 'False' in the answer booklet.

No	Questions	True or False
1	Subsidiary legislation is flexible and elastic.	
2	Muslim law applies to all citizens in Malaysia.	
3	Customs are recognized as a source of law in Malaysia.	
4	Malaysian courts must follow the decisions from other countries.	
5	Constitutional law deals with the important rights of the government, and its relationship with the people.	
6	The Supreme Court is the final court of appeal in the UK.	
7	The United Kingdom has three separate legal systems: one each for England and Wales, Scotland and Northern Ireland.	
8	Constitutional conventions need formal procedures for their creation.	
9	Legal principle is the norm that has a general nature and serves as a generalized standard of judgment for the number of cases that imply the application of the general norm.	
10	All laws passed in Malaysia are national laws.	

11	Sir Albert Vann Dicey said only the King could be above the law.	
12	The Mischief approach is only applied if there is some ambiguity in the words used in the statute so that out of the two apparently contradictory meanings, that interpretation is preferred which does not lead to absurdity.	
13	Tribunals operate their own procedures that are less complicated and more informal than those associated with courts.	
14	An Attorney General is a person who is qualified to be a judge of the Federal Court.	
15	Stealing a loaf of bread to feed a starving child is considered legal and ethical.	
16	Durations to do chambering for law students will be within two years.	
17	All laws are part of the morals of political society because of the acceptance of such laws made by that same society.	
18	Acts that are intra vires may equivalently be termed "valid" and those that are ultra vires are "invalid" or "null and void".	
19	Lord Chancellor is effectively the 'top judge', responsible for the whole civil law and legal aid systems.	
20	A society's code of morality may be defined as a set of beliefs, values, principles and standards of behaviour.	

SECTION C

(40 Marks)

There are **FOUR (4)** questions in this part. Answer all questions in the answer booklet.

QUESTION 1

Elaborate about the hierarchy of Malaysian Court Systems.

(10 marks)

QUESTION 2

Explain **THREE (3)** concepts of separation of power among government branches in Malaysia by describing each component and functions.

(10 marks)

QUESTION 3

a) Discuss **FIVE (5)** backgrounds of Judges in England.

(5 marks)

b) In relation to the judges' background, explain **one case study** related to the judges being intolerant against minorities.

(5 marks)

QUESTION 4

Initially, after gaining independence from Great Britain, The Malaysian court system was litigious in its nature. Discuss the potential factors contributing to the increase of disputes in Malaysian Courts.

(10 marks)

***** END OF QUESTION PAPER *****