



**FINAL EXAMINATION**  
**NOVEMBER 2023**

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| <b>COURSE TITLE</b>  | <b>BUSINESS LAW</b>                                  |
| <b>COURSE CODE</b>   | <b>RLAW2113</b>                                      |
| <b>DATE/DAY</b>      | <b>15 FEBRUARY 2024 / THURSDAY</b>                   |
| <b>TIME/DURATION</b> | <b>02:00 PM - 04:00 PM / 02 Hour(s) 00 Minute(s)</b> |

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**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 **3** Printed Pages including front page)

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

This paper consists of TWO (2) sections. Answer ALL sections.

[50 MARKS]

**SECTION A**

**(30 Marks)**

There are SIX (6) questions in this part. Answer ALL questions in the answer booklet.

1. Briefly explain intentional tort. (5 marks)
2. Briefly discuss the facts and principles laid down in the case of *Donoghue v Stevenson* [1932] AC 562. (5 marks)
3. Briefly discuss any **TWO (2)** reasons for the principle of vicarious liability in tort cases. (5 marks)
4. Briefly discuss the 'One Free Bite Rule' under the principle of Strict Liability. (5 marks)
5. Briefly explain **TWO (2)** duties of an agent. (5 marks)
6. Briefly discuss the termination of the agency by operation of law. (5 marks)

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**SECTION B**

**(20 Marks)**

There are **TWO (2)** questions in this part. Answer **ALL** questions in the answer booklet.

**QUESTION 1**

Ain is a 35-year-old lady, who owns 10 acres of estate in Negeri Sembilan. She suffered from bipolar disorder after a traumatic accident in 2018. She lives in her house alone but she has a good friend named, Fakhrul, who is also her lawyer. Much of the time, Ain is dependent on Fakhrul to take care of all her personal needs.

One month ago, when Ain was admitted to Hospital Damai Rambutan, Fakhrul came to visit Ain. Fakhrul mentioned a property investment which might benefit Ain in the future if she sells her estate. Ain agreed to sell her estate which was worth RM2 million to Fakhrul for RM100,000. Fakhrul prepared the sale and purchase agreement and successfully transferred the estate to his name. In January 2024, Ain just realized that the transfer of the estate did not benefit her much and wished to rescind the contract.

Advise Ain on the following:-

- a) Determine the issue in Ain's case. (1 mark)
- b) List the available laws which are the best to highlight the above matter. (5 marks)
- c) Discuss your findings. (4 marks)

**QUESTION 2**

Bernard was instructed by his employer to carry a consignment of vegetables from Cameron Highland to Shah Alam. The lorry that he was driving was badly damaged when it was involved in a road accident near Slim River.

Since he did not want to wait too long for the lorry to be repaired, Bernard sold all the vegetables to a shop owner for half of its price.

Based on the above matter, advise Bernard on the following:-

- a) Briefly explain the conditions of agency by necessity. (5 marks)
- b) Outline your argument to support Bernard's action. (5 marks)

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