



FINAL EXAMINATION
MARCH 2024

COURSE TITLE	BUSINESS LAW
COURSE CODE	RLAW2113
DATE/DAY	25 JUNE 2024 / TUESDAY
TIME/DURATION	02:00 PM - 04:00 PM / 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 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 discuss the word 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 explain vicarious liability with a decided case. (5 marks)
4. Briefly explain any TWO (2) duties of principal. (5 marks)
5. Briefly discuss the agency by necessity. (5 marks)
6. Briefly discuss the 'One Free Bite Rule' under the principle of Strict Liability. (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

Fahmi, a developer of Mak Ani Properties Sdn Bhd. He has developed nearly 50 housing new projects around Kampung Ulam Raja. One day, he approached Rafizi and offered to buy Rafizi's land, but Rafizi did not agree to sell it. However, Fahmi informed Rafizi that if he did not agree to sell the land, his family would be in danger, and the whole village, Kampung Ulam Raja would boycott Rafizi's rojak business.

Fahmi was in a position to threaten Rafizi. Rafizi is the head of Kampung Ulam Raja and has a major influence there. Subsequently, Rafizi agreed to sign the sale and purchase agreement to sell the land for RM300,000.00 to Fahmi.

Advise Rafizi on the following:-

- a) What is the issue in Rafizi's case? (1 mark)
- b) Explain the available legal principle(s) for this case. Support your answer with relevant section(s) and case(s). (5 marks)
- c) Outline your findings. (4 marks)

QUESTION 2

Alif is the owner of Alif Nasi Kandar at Jalan Ipoh Kuala Lumpur and intends to retire from his service. He appointed Fuad as his agent and instructed him to get a buyer for his restaurant at a price of not less than RM 100,000. Taufiq offered a price of RM 120,000 for the restaurant but Samsol persuaded Fuad to sell it to him at RM100,000 as he would give coffee money of RM8,000 to Fuad for securing the deal. Fuad did not inform Alif of Taufiq's offer and accepted the offer of Samsol on behalf of Alif. After Alif signed the sale and purchase agreement, he discovered Taufiq's offer and the coffee money that Fuad received from Samsol. Being unhappy with the whole situation, Alif refused to pay Fuad's commission. Fuad intends to sue Alif for breach of contract.

Based on the above situation, advise Alif on the following:-

- a) Briefly explain **THREE (3)** duties of Fuad as an agent to Alif (6 marks)
- b) Outline your arguments to support Alif's action. (4 marks)

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