



FINAL EXAMINATION
MARCH 2023

COURSE TITLE	INTRODUCTION TO LAW
COURSE CODE	FLAW0114
DATE/DAY	13 JUNE 2023 / TUESDAY
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 13 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 provided.

1. The purpose of _____ law is to protect public safety.
 - A. constitution
 - B. public
 - C. criminal
 - D. civil

2. "A person who is hired to counsel and manage a case that goes to court". He is also having another name which is lawyer. Who he is?
 - A. defendant
 - B. coroner
 - C. prosecutor
 - D. attorney

3. What type of law is based on customs and prior legal decisions, and is used in civil cases?
 - A. Common law
 - B. Military law
 - C. Criminal law
 - D. Civil law

4. Which of the following are the right classifications of law?
 - A. Criminal law, constitutional law and international law
 - B. Public law, international law and criminal law
 - C. Public law, private law and international law
 - D. International law, criminal law and common law

5. Which of the following is **NOT** related to private law?
 - A. Contract law
 - B. Constitutional law
 - C. Law of tort
 - D. Law of trust

6. Which situation would most likely lead to a civil case?
- A. Someone breaks a red light.
 - B. When a person breaks a leg at a friend's house.
 - C. Someone robs another person at gunpoint.
 - D. A person caught breaking into a house.
7. English law includes all of these **EXCEPT**
- A. legislation
 - B. common law
 - C. shariah law
 - D. rules of equity
8. What is the best to describe a failure to perform an action that a reasonable person would have performed in a similar situation?
- A. An assumption of risk
 - B. Misdemeanour
 - C. Subpoena
 - D. Negligence
9. Give (someone) something, typically money, in recognition of loss, suffering, or injury incurred is _____.
- A. confrontation
 - B. compensate
 - C. proximate
 - D. monetary
10. Donoghue v Stevenson established the principle of owing a duty of care called the _____.
- A. Atkin principle
 - B. close principle
 - C. neighbour principle
 - D. omission principle

11. When the lawyer for the opposing side questions the witness in a trial, what is this called?
- A. Alibi
 - B. Cross examination
 - C. Plea Bargain
 - D. Subpoena
12. What is felony?
- A. A serious crime that results in over a year in jail. Examples of felonies are murder, rape and kidnapping.
 - B. A less serious crime that usually results in less than a year in jail time or no jail time at all.
 - C. An agreement between the two opposing parties in a certain lawsuit.
 - D. The evidence given by a witness in court under oath.
13. Law enacted by parliament or state assemblies includes all of the following **EXCEPT**
- A. federal constitution
 - B. state legislation
 - C. local custom
 - D. subsidiary legislation
14. The previous decisions of the superior courts will bind the inferior courts is known as _____.
- A. the doctrine of obiter dicta
 - B. the doctrine of laissez-faire
 - C. the doctrine of ratio decidendi
 - D. the doctrine of judicial precedent
15. Article 4 of the Federal Constitution declares that the Constitution is _____.
- A. the Federal Muslim laws
 - B. the supreme law of the Federation
 - C. the Federal Non-Muslim law
 - D. the supreme by-laws and customs of the federation

16. What is the name of laws enacted by Parliament?
- A. Ordinances
 - B. Enactment
 - C. Article
 - D. Acts
17. Under the Constitution, only the nine rulers of the States are eligible for election to be the Yang di-Pertuan Agong (YDPA) to hold office for a term of 5 years. Which Head of states will **NOT** be in the list?
- A. Terengganu, Kelantan, Kedah and Perlis
 - B. Selangor, Perak, Negeri Sembilan and Johor
 - C. Penang, Malacca, Sabah and Sarawak
 - D. Perak, Perlis, Kedah, Pahang
18. In Malaysia, the power to make law is bestowed in Parliament at the Federal State Legislative Assemblies at the State level. However, the power to interpret those laws are vested in the Courts. When the courts have to interpret the wording of an Act of Parliament, there are certain rules to follow, but it is left for the judge to decide which rule is appropriate to the particular case. The rule are as follows:
- I The Literal rule
 - II The Golden Rule
 - III The Mischief Rule
 - IV The General rule
- A. I, II and IV
 - B. II, III and IV
 - C. I, II and III
 - D. All of the above
19. What are moral principles that governs behavior?
- A. Social responsibilities
 - B. Ethics
 - C. Codes
 - D. Facts

20. Arbitration can be defined as _____.
- A. using a facilitator to help the two parties resolve their dispute.
 - B. a substantive law requiring the government to resolve the issues.
 - C. an expensive way to resolve a dispute between two feuding parties.
 - D. the parties giving the power to settle their dispute to a third party.
21. Which of the following are the examples of illegal action to be done according to law but it is ethical and received appraisal by the society?
- I Company reports with accepted accounting regulations.
 - II Stealing a loaf of bread to feed a starving child
 - III Build religious places with company fund
 - IV When you drive a car and someone flip you a finger
- A. I and II
 - B. II and III
 - C. I and III
 - D. III and IV
22. Which of the following is **NOT** the main legal values of a legal system?
- A. Penalty
 - B. Order
 - C. Justice
 - D. Freedom
23. In legal maxim, what is the meaning of the Latin word 'jus' and 'lex'?
- A. Jurist, law
 - B. Just, King
 - C. Judge, legal
 - D. Just, law
24. Superior courts in Malaysia comprises of the following **EXCEPT**
- A. Shariah court
 - B. Federal court
 - C. High court
 - D. Court of Appeal

25. Which type of following are the disadvantages of precedent?
- I Promote consistency, coherence and certainty
 - II Certain precedent may not be relevant in today's circumstances but the judge may have to nevertheless follow it
 - III Promote efficiency and justice, ensuring equality and fairness
 - IV May also be slow in responding to community changes and it is cumbersome to change them as they may require an Act of Parliament
- A. I and II
 - B. II and III
 - C. II and IV
 - D. III and IV
26. Fundamental rights of citizen are guaranteed by _____.
- A. law
 - B. court
 - C. government
 - D. constitution
27. What type of government does the UK have?
- A. Monarchy
 - B. Dictatorship
 - C. Republic Federalism
 - D. Constitutional Monarchy and Parliamentary Democracy
28. Why is interpreting the law sometimes become so difficult?
- A. The law is not clearly written
 - B. There are many ways to interpret something and not everyone agrees
 - C. There are so many different laws out there
 - D. English law can be difficult to understand
29. The party who brings a claim in a civil case is known as _____.
- A. A plaintiff
 - B. The defendant
 - C. A prosecutor
 - D. The King

30. In Malaysia, the Parliament consists of 2 houses which are _____ and _____.
- A. the Senate and the Federation
 - B. House of Representatives and House Lannister
 - C. House of Representatives and the Senate
 - D. the Senate and the Council of Elrond
31. Who has made the major landmark on major legal system in Malaya?
- A. Portuguese
 - B. British
 - C. Dutch
 - D. Japanese
32. Which one is **NOT** primary legal sources?
- A. Legislation
 - B. Customary Law
 - C. Legal Text Books
 - D. Federal constitution
33. Which international peacekeeping organization created the Universal Declaration of Human Rights?
- A. The International Court of Justice
 - B. The World Health Organization
 - C. The International Economic and Social Justice
 - D. The United Nations
34. Which of the following are **NOT** the branches of civil law?
- A. Contract law
 - B. Property law
 - C. Criminal law
 - D. Tort law

35. Subordinate court consist of _____.
- A. High court
 - B. Court of Appeal
 - C. Magistrate court
 - D. Federal court
36. Failure of a professional, such as a doctor, lawyer, or accountant, to meet the accepted standards of their profession, resulting in harm to a client or patient is known as _____.
- A. assault
 - B. abuse
 - C. negligence
 - D. malpractice
37. In legal terms, _____ refers to an action or decision that is taken by an individual or an organization that exceeds the powers or authority that has been granted to them by law or by their governing documents.
- A. Intra Vires
 - B. Ultra Vires
 - C. Ombudsmen
 - D. Enactment
38. Which of the following is correct about ombudsmen?
- A. Their services are costly
 - B. They only operate at a federal level
 - C. They are created by government
 - D. They can only hear disputes between individuals
39. What is another name for mediation, where a potential solution is suggested by the mediator?
- A. Conciliation
 - B. Arbitration
 - C. Negotiation
 - D. Resolution

40. The controls on subsidiary (delegated) legislation can be done by
- A. Public servant
 - B. Prime Minister
 - C. The court and legislature
 - D. Yang di Pertuan Agung


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SECTION B

(20 Marks)

There are TWENTY (20) questions in this part. Please answer 'True' or 'False'.

	Questions	True or False
1	In applying binding precedents, Malaysian law can be found in the judicial decisions of the High Court, Court of Appeal and the Federal Court and the then Supreme Court, Federal Court and the Judicial Committee of the Privy Council.	
2	In English Law, equity means that body of rules originally enforced only by the court of chancery.	
3	Criminal law is also known as Municipal law.	
4	Legal aid by the Bar Council will assist people who cannot afford the cost of legal advice and action and the registration fee is RM 2.00.	
5	Attorney General can be invited to Parliament to give advice.	
6	In Sabah and Sarawak, native customary laws apply in land dealings over native customary lands and family matters.	
7	The legal principles are rules of human behavior that used to be considered as just before the law started being written.	
8	The Court of Appeal is the highest court in the court hierarchy.	
9	In common law, Judges are not free to decide cases based on fairness but only on the basis of the application of the law that can lead to an unfair or harsh result.	
10	The Rule of Law is a fundamental doctrine encompassing the UK constitution.	
11	United Kingdom is the example of nation which have a codified constitution.	
12	Constitutional law deals with the important rights of the government, and its relationship with the people.	
13	Tort is a wrong committed by one person against another or his property.	

14	The courts enforcing Islamic law are known as High Courts.	
15	A committee of the House considers the Bill in detail and may amend any part of it. The committee then submits a report on the Bill to the House. If the report is approved, then the report will go on for the third reading in the House.	
16	In a primitive society, there was no difference between law and moral rules as they share the same sources such as custom and religion.	
17	The Queen's Bench Division is the biggest of the three High Court Divisions in England.	
18	Tribunals operate their own procedures that are less complicated and more informal than those usually associated with courts.	
19	Under Bill of Rights 1689, this embodies the principle that government must be conducted according to the law and with the consent of the governed.	
20	Burping out loud is not appropriate when eating with others is the examples of legal rules.	

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SECTION C

(40 Marks)

This question paper consists of FOUR (4) questions. Answer all questions in the answer booklet provided.

QUESTION 1

(10 Marks)

- a) Define the meaning of Law according to Black dictionary. (2 marks)
- b) Discuss **FOUR (4)** functions of law. (8 marks)

QUESTION 2

(10 Marks)

- a) Who are the executive members under the separation of powers in Malaysia? (5 marks)
- b) Explain **FIVE (5)** functions of Judiciary authority. (5 marks)

QUESTION 3

(10 Marks)

- a) Identify the meaning of international law. (2 marks)
- b) Discuss **TWO (2)** classifications of international law by giving examples of the issues under each category. (8 marks)

QUESTION 4

(10 Marks)

- a) Discuss about the background of the judges in England. (4 marks)
- b) Explain about Taff Vale case. What were the impact of the development of Labour law in the United Kingdom? (6 marks)

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