

**FINAL EXAMINATION**  
**NOVEMBER 2021**

---

|                      |  |
|----------------------|--|
| <b>COURSE TITLE</b>  | <b>INTRODUCTION TO LAW</b>             |
| <b>COURSE CODE</b>   | <b>FLAW0114</b>                        |
| <b>DATE/DAY</b>      | <b>14 FEBRUARY 2022 / MONDAY</b>       |
| <b>TIME/DURATION</b> | <b>09:00 AM - 10:30 AM / 1.5 Hours</b> |

---

**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 **10** Printed Pages including front page)

**There are FORTY (40) questions in this question paper, worth 2.5 marks each.  
Answer ALL your questions in the OMR sheet. (100 MARKS)**

1. Unwritten law mainly comprised of \_\_\_\_\_.
  - A. English Law, Federal Constitution and State Constitution
  - B. English Law, Judicial Decisions or Precedent and Customs
  - C. State Constitution, Federal Constitution and District Constitution
  - D. Federal Constitution and State Constitution
  
2. Law established by a judge (court) and thereafter referred to in similar cases is called \_\_\_\_\_.
  - A. court order
  - B. common law
  - C. precedent
  - D. custom
  
3. This is a set of laws made by the courts which provide a series of consistent rules that later courts must follow. This statement refers to \_\_\_\_\_.
  - A. common law
  - B. Statute
  - C. Constitution
  - D. Jus sanguinis
  
4. Which rule of law factor best describes this statement:  
In the case Marbury V. Madison in 1803, the Supreme Court said that the judicial branch has the power to strike down laws that violate the Constitution, even though another branch of government passed that law.
  - A. Check and balance
  - B. Order and Security
  - C. Legitimacy
  - D. Access to Justice

5. Which of the following is the most accurate description for the Rule of Law?
- A. An idealistic concept of how the legal system should function to further civilized society
  - B. The law must be made up of strict rules with punishment for breach of those rules
  - C. A rule made by Parliament
  - D. Guidance on how rules should be applied
6. What is the difference between an adversarial and inquisitorial approach to the legal system?
- A. An adversarial system is based on a contest between the parties with the judge regulating the conduct of the parties. An inquisitorial approach concerns an investigation undertaken by the court with the parties ensuring the correct procedure is followed.
  - B. An inquisitorial system is based on a contest between the parties with the judge regulating the conduct of the parties. An adversarial approach concerns an investigation undertaken by the court with the parties ensuring the correct procedure is followed.
  - C. An adversarial approach is used in criminal cases whereas an inquisitorial approach is used in civil cases.
  - D. An inquisitorial approach is used in criminal cases whereas an adversarial approach is used in civil cases.
7. Which of the following accurately reflects the distinction between substantive and procedural law?
- A. Substantive law reflects the rules on procedure and evidence. Procedural law reflects the elements or conditions for the law to apply
  - B. Procedural law reflects the rules on procedure and evidence. Substantive law reflects the elements or conditions for the law to apply
  - C. Substantive law and procedural law are synonymous
  - D. None of the options given are correct.

8. Which of the following is the **MOST** accurate description of civil law?
- A. Civil law is an aspect of public law
  - B. Civil law relates to controlling conduct or wrong-doing of which it disapproves
  - C. Civil law relates to the enforcement of particular forms of behaviour
  - D. Civil law is a form of private law and involves the relationships between individuals
9. The doctrine of stare decisis requires lower courts to follow established case law in deciding similar cases.
- A. True
  - B. False
10. Which of the following was **NOT** part of the Unfederated Malay States (UFMS)?
- A. Perak
  - B. Kedah
  - C. Kelantan
  - D. Terengganu
11. Which of the following is **NOT** a branch of the government?
- A. Judiciary
  - B. Executive
  - C. Legislative
  - D. Constitution
12. Which branch makes (for the most part) the laws?
- A. Legislative
  - B. Executive
  - C. Court
  - D. Judiciary

13. Based on hierarchy of courts in Malaysia, the highest court in Malaysia is known as \_\_\_\_\_.

- A. Magistrates' Court
- B. Federal Court
- C. High Court
- D. Sessions Court

14. Amanda wants to bring Daniel to justice for causing her grievous hurt. The police had classified the case under section 326 of the Penal Code for voluntarily causing grievous hurt by dangerous weapons or means. This offence is punishable with imprisonment for a term which may extend to twenty years, and shall also be liable to a fine or to whipping.

Determine the court that has the jurisdiction to hear and determine the above criminal case.

- A. Session Court
- B. Magistrate Court
- C. Federal Court
- D. High Court

15. The party who brings a claim in a civil case is known as \_\_\_\_\_.

- A. a plaintiff
- B. the accused
- C. a defendant
- D. a prosecutor

16. Which of the following ways can courts affect laws?

- A. Creating laws
- B. Judicial Review
- C. Interpreting laws
- D. All of the above.

17. Article 121 of the Constitution of Malaysia provides there shall be two High Court in Malaysia.

- A. High Court in Malaya & High Court in Borneo
- B. High Court in Kuala Lumpur and High Court Sabah and Sarawak
- C. High Court in Malaya & High Court Sabah and Sarawak
- D. High Court in Malaysia & High Court in Federal Territory

18. The High Court of Malaya can hear cases that take place in jurisdiction in Sabah & Sarawak.

- A. True
- B. False

19. What is the legal principle important in determining precedent?

- A. Authority
- B. Court system structure
- C. Jurisdiction
- D. Jurisprudence

20. Who contributed more to the birth of common law?

- A. the Justices in king's courts
- B. the King, imposing only written rules
- C. the king's laws
- D. the Ministers of the crown

21. What is different in the role of judges in common law and in civil law systems?

- A. in common law systems judges apply the law, in civil law systems they create the law
- B. their role is completely different, but it cannot be explained in such a short answer
- C. in common law systems judges create the law, in civil law systems they apply the law
- D. more or less, they have the same role

22. Which system is regarded as more flexible?
- A. common law, according to common law legal minds and civil law according to civil law legal minds
  - B. common law system
  - C. civil law system
  - D. both
23. Which is the tendency of legal systems in these days?
- A. they tend to mix
  - B. common law systems never change, while civil law systems tend to change
  - C. they continue in their traditions
  - D. civil law systems never change, while common law systems tend to change
24. Which of the following is the main feature of common law systems?
- A. the binding force of precedents
  - B. the binding force of statutes
  - C. the flexibility of statutes
  - D. the binding force of laws
25. Laws can come from all of the following sources except \_\_\_\_\_.
- A. Statutes
  - B. Regulations
  - C. Constitutions
  - D. Police Officers
26. When a soldier fails to return to base, what type of law is this?
- A. Martial
  - B. Criminal
  - C. Juvenile
  - D. Civil

27. Why are workplace ethics important?
- A. Because our actions not only affect us, but also those around us.
  - B. They play an important role in a company's growth and development.
  - C. To maintain a professional company culture and build a better relationship with customers by providing better services.
  - D. All of the above.
28. Which of the following does **NOT** fall under unwritten law?
- A. Legislation
  - B. English law
  - C. Judicial precedent
  - D. Customs
29. Which of the following is **NOT** a branch of Private Law?
- A. Contract Law
  - B. Law of Torts
  - C. Criminal Law
  - D. Trust
30. The following are the type of court in Malaysia except \_\_\_\_\_.
- A. State Court
  - B. Court of Appeal
  - C. High Court
  - D. Session Court
31. Which of the following are the three (3) body or main components of Malaysia Government under YDPA?
- A. Legislative
  - B. Executive
  - C. Judiciary
  - D. Federal Government



32. The following are the classification of law except \_\_\_\_\_.
- A. Judicial Law
  - B. Public Law
  - C. Private Law
  - D. International Law
33. What are the two ways of operation in doctrine of judicial precedent?
- A. Vertical and horizontal
  - B. Binding and horizontal
  - C. Non-vertical and non-horizontal
  - D. Linear and non-linear
34. Section 6 of the Civil Law Ordinance allows for continuous reception of English commercial law into the Straits Settlements.
- A. True
  - B. False
35. The Federal Court is bound by the previous decisions of \_\_\_\_\_.
- A. the Federal Court only
  - B. all the Subordinate Courts
  - C. the Court of appeal and the Federal Court
  - D. the Court of Appeal only
36. The enforceable rules of conduct in a society which typically reflect the culture and circumstances that create them are called \_\_\_\_\_.
- A. morals
  - B. laws
  - C. codes
  - D. ethics

37. "Rights of individuals in the state" refers to \_\_\_\_\_.

- A. Equity law
- B. Public law
- C. Constitutional law
- D. International law

38. Customs are recognized as a source of law in Malaysia.

- A. True
- B. False

39. The application of English law throughout Malaysia is subject to certain limitations namely:

- I. only the English law that is suited to local circumstances will be applied.
- II. the English law is applied only in the absence of local statutes on the particular subjects.
- III. only the English law passed by Parliament of England can be applied in Malaysia.

- A. I and II
- B. II and III
- C. I and III
- D. All of the above.

40. Keeping certain information private except when another person is authorized to have that information is known as \_\_\_\_\_.

- A. Contract
- B. Consent
- C. Confidentiality
- D. Conduct

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