



FINAL EXAMINATION
JULY 2023

COURSE TITLE	INTRODUCTION TO LAW
COURSE CODE	FLAW0114
DATE/DAY	17 OCTOBER 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 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. Answer ALL questions in the answer booklet provided. [100 MARKS]

SECTION A

(40 Marks)

There are FORTY (40) questions in this part. Answer ALL questions in the answer booklet.

1. Which of the following is the main source of Malaysia law?
 - A. State constitution
 - B. Federal constitution
 - C. State legislation
 - D. Subsidiary legislation

2. What is the meaning of the doctrine of precedent?
 - A. The court will decide cases on their own merits.
 - B. The court will not follow earlier decisions by higher courts.
 - C. That all states must follow the courts decisions in another state.
 - D. A court must follow earlier judicial decisions when the same issues arise again in trial.

3. Municipal or state law refers to which type of law?
 - A. Common law
 - B. Military law
 - C. National law
 - D. Criminal law

4. Which type of court would most likely handle the case of an individual with committing a crime, such as murder and rape?
 - A. Civil
 - B. Criminal
 - C. State and federal
 - D. International

5. Public law is the law that governs the relationship between individuals and the state. Which of the following is **NOT** the main type of public law?
- A. Criminal law
 - B. Constitutional law
 - C. Contract law
 - D. Administrative law
6. A person has been unfairly dismissed from work by a company and would like to make a complaint to the labour courts. What law would be suit in such situation?
- A. International law
 - B. Employment law
 - C. Breach of duty under Negligence
 - D. Contract law
7. Which one is correct about unwritten law?
- A. English Law, Judicial Decisions or Precedent and Customs
 - B. Federal Constitution and State Constitution
 - C. English Law, Federal Constitution and State Constitution
 - D. State Constitution, Federal Constitution and District Constitution
8. The party who brings a claim in a civil case is known as _____.
- A. Attorney
 - B. Plaintiff
 - C. Defendant
 - D. Prosecutor
9. Which of the following crimes is best to describe a less serious criminal case that usually results in less than a year in jail time or no jail time at all?
- A. Misdemeanour
 - B. Felony
 - C. Alibi
 - D. Subpoena

10. Which of the following is **NOT** the main legal values of a legal system?
- A. Penalty
 - B. Order
 - C. Justice
 - D. Freedom
11. Citizens feel safe because they know that they have an authority body to take care of the public safety. Who is the first authority body they have to meet if they commit a crime?
- A. Attorney
 - B. Lawyer
 - C. Police Officer
 - D. Prosecutor
12. Which of the following is **NOT** related to the classifications of legal principles?
- A. Complex Legal Principles
 - B. Composite Legal Principles
 - C. Basic legal principles
 - D. Index legal principles
13. Which situation is the closest to describe in legal and ethical context, when you steal a loaf of bread to be given to the starving child?
- A. Legal and ethical
 - B. Not legal and ethical
 - C. Legal but not ethical
 - D. Not legal but ethical
14. Common law is the legal system developed from _____.
- A. legislation
 - B. custom
 - C. government
 - D. social rules

15. Which of the following is **NOT** related to the separations of power in United Kingdom (UK)?
- A. No formal separations of power due to the absence of written constitution
 - B. One of the most peculiar states in the world
 - C. Separations of power in the UK has never been questioned
 - D. The role of the Europe-wide institutions to legislate, execute and judge on matters also define the boundaries of the UK system
16. What is the supreme law of the land in Malaysia?
- A. Ordinances
 - B. Enactment
 - C. Article
 - D. Federal constitution
17. This is a form of evidence obtained from a witness who makes a solemn statement or declaration of fact. What is this called?
- A. Oath
 - B. Court testimony
 - C. File declaration
 - D. Physical proof
18. 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. Which one is the correct rule?
- 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. A nation's power to make and carry out laws with its borders refers to
- A. colony
 - B. secularism
 - C. communist
 - D. sovereignty

20. The High Court hears the more serious and complex civil and family cases at first instance. It contains three divisions. Which one is an incorrect division?
- A. Arbitration Division
 - B. The Queen's Bench Division
 - C. The Chancery Division
 - D. Family Division
21. Which one is under State List according to Federal Constitution?
- A. Finance
 - B. Marriage
 - C. Criminal
 - D. Defence
22. Which one is **NOT** considered as primary legal sources?
- A. Legislation
 - B. Federal constitution
 - C. Legal text books
 - D. Custom law
23. What is the meaning of a Latin phrase, 'ultra vires'?
- A. Beyond the powers
 - B. Within the powers
 - C. Over the powers
 - D. Powerful to decide
24. From which country law in Malaysia was **NOT** originated?
- A. India
 - B. British
 - C. Japan
 - D. Australia
25. What is the advantage of precedent?
- A. Certain precedent may not be relevant in today's circumstances
 - B. May also be slow in responding to community changes
 - C. May require an Act of Parliament
 - D. Ensure equality and fairness

26. Which statement is incorrect about Islamic law?
- A. Each state has the power to administer Islamic Law
 - B. The courts enforcing Islamic law is known as the Syariah Courts
 - C. Islamic law applies to non-Muslims too
 - D. The head of the Muslim religion in a state is the Sultan
27. What type of constitution does the New Zealand have?
- A. Uncodified constitution
 - B. Codified constitution
 - C. Unitary constitution
 - D. Flexible constitution
28. What are the branches of Superior Court in Malaysia?
- A. High Court, Court of Appeal and Children Court
 - B. Federal Court, Sessions Court and Native Courts
 - C. Federal Court, Sessions Court and Magistrate Court
 - D. Federal Court, Court of Appeal and High Court
29. These are the rules covered under Private International Law **except**
- A. Dispute over state border
 - B. Divorce cases between two nations
 - C. Status of land
 - D. Property damages
30. Which of the following is **NOT** one of the requirements to be 'Peguan Syarie'?
- A. Has attained the age of eighteen years old
 - B. A Muslim member of the judicial and legal service of the Federation
 - C. Has served as a Syariah Judge or as a Kathi with any State Government in Malaysia
 - D. Never been adjudged a bankrupt
31. How long is chambering in Malaysia?
- A. 2 years
 - B. 6 months
 - C. 9 months
 - D. 7 years

32. Alternative Dispute Resolution (ADR) refers to any means of settling disputes outside of the courtroom. Choose one that is **NOT** related to ADR.
- A. Negotiation
 - B. Conciliation
 - C. Mediation
 - D. Disagreement
33. Which of the following is untrue about the advantages of using Alternative Dispute Resolution (ADR)?
- A. Save a lot of time
 - B. Waste a lot of money
 - C. Put the parties in control
 - D. May choose to have a mediator who is an expert
34. Crimes against humanity are prosecuted by _____.
- A. The Permanent Court of International Justice
 - B. European Court of Human Rights
 - C. International Criminal Court
 - D. Magistrate Court
35. Who will be responsible in administering the nation and ensuring that government policy will be carried out according to law?
- A. The legislative
 - B. The judiciary
 - C. The legal constitution
 - D. The executive
36. What is the meaning of the rule of law?
- A. Those who break the law will receive the same punishment
 - B. Laws which are unjust will not be enforced
 - C. No one is above the law
 - D. Everyone must fear the law

37. What is the main medication available under the civil law?
- A. Damages to compensate for loss
 - B. Imprisonment
 - C. Paying fine
 - D. Injunction
38. The Parliament of Malaysia consists of 2 houses which are _____ and _____.
- A. House of Representatives and House Lannister
 - B. The Senate and the House of Lord
 - C. House of Representatives and the Senate
 - D. The Federation and the Senate
39. What is the implication of landmark cases in shaping Malaysian law?
- A. Landmark cases are irrelevant to the development of Malaysian law
 - B. Landmark cases lead to constitutional amendments
 - C. Landmark cases establish new legislation
 - D. Landmark cases set precedents for future legal decisions
40. The Federal Court is bound by the previous decisions of _____.
- A. the Federal Court only
 - B. the Court of Appeal only
 - C. the Court of appeal and the Federal Court
 - D. the subordinate court

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	The High Courts in Malaysia are the third-highest courts in the hierarchy of courts and there are two chief judges in the High Court.	
2	There are two types of Magistrates Court in Malaysia.	
3	Private international law are rules which govern the conduct and relations of state with others.	
4	Constitutional law lays down the rights and duties of states between each other.	
5	Islamic Family Law Enactment is an example of written law.	
6	English law can be applied all the time in Malaysia.	
7	The Federal court is the highest court in the court hierarchy.	
8	European Union established a court known as European Court of Law.	
9	United States was among the six original members of European Union.	
10	Any kind of behaviour which is accepted as proper by the society is known as social rules.	

11	General Principles of law recognized by civilized nations constitute in most of cases peremptory norms of general international law known as jus cogens.	
12	When laws are made under Parliament, they are submitted as a "Green Paper," discussed and revised before being submitted as a "White Paper." Then, the houses debate and revise, as needed, until both Houses approve of the law. It is then forwarded to the monarch to make a final decision.	
13	People are not free to travel and trade between the European Union (EU) countries.	
14	The courts enforcing Islamic law are known as Session Courts.	
15	The European Union has a court of justice that prosecutes EU countries that do not follow its laws.	
16	In the UK, the Court of Appeal is an appellate court and is divided into two divisions which are criminal and civil.	
17	Magistrates courts hear less serious cases and those involving juveniles as well as some civil cases.	
18	Within the English common law system, judges do not have much authority to interpret law and not bound by precedent.	
19	Constitutional law deals with the important rights of the government, and its relationship with the people.	
20	Crossing fingers while driving and honking to show dissatisfaction to other drivers are considered as examples of actions that are against legal rules.	

SECTION C

(40 Marks)

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

QUESTION 1

- a) Elaborate the development of duty of care with the case study from Mrs. Donoghue versus Mr. Stevenson. (5 marks)
- b) Discuss **TWO (2)** criteria of the 'neighbour principle'. (5 marks)

QUESTION 2

- a) Explain what happened in Taff Vale case. (5 marks)
- b) Discuss the background of the judges in Britain. (5 marks)

QUESTION 3

The separation of powers is a fundamental concept in democratic governance. Elaborate in detail the three main branches of government in Malaysia. (10 marks)

QUESTION 4

Discuss **FIVE (5)** issues faced by Malaysian court system that have contributed to delays in the processing of cases. (10 marks)

*** END OF QUESTION PAPER ***