

SECTION A : 20 MARKS***BAHAGIAN A : 20 MARKAH*****INSTRUCTION:**

This section consists of **TWENTY (20)** objective questions. Mark your answers in the OMR form provided.

ARAHAN :

*Bahagian ini mengandungi **DUA PULUH (20)** soalan objektif. Tandakan jawapan anda di dalam borang OMR yang disediakan.*

SECTION B : 60 MARKS
BAHAGIAN B : 60 MARKAH

INSTRUCTION:

This section consists of **THREE** structured questions. Answer **ALL QUESTIONS**.

ARAHAN:

Bahagian ini mengandungi TIGA (3) soalan berstruktur. Jawab SEMUA SOALAN.

QUESTION 1

SOALAN 1

CLO1
C1

- (a) Draw the hierarchy of Malaysian court system.
Lakarkan hirarki Mahkamah - mahkamah di Malaysia.

[10 marks]
[10 markah]

CLO1
C1

- (b) i. Define negligence
Takrifkan kecuaiian

[2 marks]
[2 markah]

- ii. List **FOUR (4)** elements to constitute the case of negligence.
Senaraikan EMPAT (4) elemen untuk membentuk kes kecuaiian.

[8 marks]
[8 markah]

QUESTION 2**SOALAN 2**

- The Court of Appeal in the case of *Carlill v Carbolic Smoke Ball Co* unanimously rejected the company's arguments and held that there was a fully binding contract for £100 with Mrs. Carlill. Among the reasons given by the three judges is that the advertisement was a unilateral offer to the entire world.
- *Mahkamah Rayuan dalam kes Carlill v Carbolic Smoke Ball Co sebulat suara menolak bantahan syarikat dan berpendapat bahawa terdapat kontrak mengikat sepenuhnya untuk £ 100 dengan Puan Carlill. Antara sebab yang diberikan oleh tiga hakim bahawa iklan tersebut adalah tawaran satu pihak kepada seluruh dunia.*

CLO2
C3

- (a) i. Based on the case above, describe the meaning of contract as stated in the Section 2(h) of Contract Act 1952 in short.

Berdasarkan kes di atas, terangkan maksud kontrak seperti yang dinyatakan dalam Seksyen 2 (h) Akta Kontrak 1952 secara ringkas.

[3 marks]

[3 markah]

- ii. Differentiate between unilateral contract and bilateral contract.

Bezakan antara kontrak sehala dan kontrak dua hala.

[2 marks]

[2 markah]

CLO2
C4

- (b) Identify **FIVE (5)** elements of contract as stipulated under the Contract Act 1952.

*Kenal pasti **LIMA (5)** elemen kontrak seperti yang ditetapkan di bawah Akta Kontrak 1952.*

[10 marks]

[10 markah]

CLO2
C4

(c) Differentiate the forms of compensation based on the examples below:

Kategorikan bentuk pampasan berdasarkan contoh di bawah:

i. Benefits

Faedah

[2 marks]

[2 markah]

ii. Rewards

Ganjaran

[3 marks]

[3 markah]

QUESTION 3**SOALAN 3**

- An innkeeper manages an inn or bed and breakfast. The innkeeper will greet guests, answer phone calls, reply to emails, and make sure that all aspects of the guest's stay are satisfactory.
- *Seorang pemilik penginapan menguruskan penginapan dan sarapan pagi. Pemilik penginapan akan menyambut tetamu, menjawab panggilan telefon, membalas e-mel, dan memastikan semua aspek penginapan tetamu memuaskan.*

CLO2
C3

(a) i. Based on the statement given, interpret the term 'innkeepers'

Berdasarkan pernyataan di atas, tafsirkan terma 'tuan rumah inapan'

[2 marks]

[2 markah]

List the objective of the Innkeepers Act 1952.

Nyatakan objektif Akta Tuan Rumah Inapan 1952.

[3 marks]

[3 markah]

- One of the problems facing the global halal industry is the lack of recognition for a universal standard of halal practices. Some key issues that contributes to the problem is the diverse interpretations on what halal entails, given regulatory pressure by the different halal certification bodies, and the restrictions that hamper the growth and the integration of halal practices into the supply chain process worldwide. The most pressing issue is the debate over the preferred method of slaughtering animals.
- *Salah satu masalah yang dihadapi industri halal global adalah kekurangan pengiktirafan standard amalan halal sejagat. Antara perkara pokok yang menyumbang kepada masalah tersebut adalah dengan wujudnya tafsiran yang berbeza mengenai apa yang diperlukan, tekanan pengawalseliaan oleh badan pensijilan halal yang berlainan, dan kekangan pertumbuhan dan integrasi amalan halal ke dalam proses rantai bekalan di seluruh dunia. Isu yang sering didebatkan adalah perbincangan mengenai kaedah penyembelihan haiwan.*

CLO2
C3

- (b) Other than slaughtering issue as mentioned in the above statement, discuss **FIVE (5)** other issues that arise in halal food management.

*Selain daripada isu sembelihan yang disebutkan di atas, bincangkan **LIMA (5)** isu isu lain yang timbul dalam pengurusan makanan halal.*

[10 marks]
[10 markah]

CLO2
C4

- (c) Identify the importance of obtaining Halal Certification.
Kenal pasti kepentingan dalam memperoleh persijilan Halal

[5 marks]
[5 markah]

SECTION C : 20 MARKS
BAHAGIAN C : 20 MARKAH

INSTRUCTION:

This section consists of **TWO (2)** structured questions. Answer **ONE (1)** question only.

ARAHAN:

Bahagian ini mengandungi DUA (2) soalan berstruktur. Jawab SATU (1) soalan sahaja.

QUESTION 1

SOALAN 1

CLO1
C1

- (a) Describe the jurisdiction for Magistrate Court and Session Court in Malaysian judicial system

Huraikan bidang kuasa Mahkamah Majistret dan Mahkamah Sesyen di dalam sistem perundangan Malaysia

[10 marks]
[10 markah]

CLO1
C1

- (b) i. Define legal duty to take care as one elements in negligence
Terangkan kewajipan undang-undang untuk mengambil berat sebagai salah satu elemen dalam kecuaiian

[2 marks]
[2 markah]

- ii. Define the term 'reasonable man' and 'expert categories' in the negligence

Takrifkan terma - terma 'reasonable man' dan 'expert categories' di dalam kecuaiian

[4 marks]
[4 markah]

- iii. Describe the neighbourhood principle in the case of Donoghue v Stevenson

Terangkan prinsip kejranaan dalam kes Donoghue v Stevenson

[4 marks]
[4 markah]

QUESTION 2**SOALAN 2**

- Foreign nationals who wish to visit Malaysia need to obtain a pass at the point of entry besides a visa (where required). This allows them to stay temporarily. A pass is an endorsement in the passport constituting permission to stay for the approved duration.
- *Warga asing yang ingin melawat Malaysia perlu mendapatkan pas di pintu masuk selain visa (jika diperlukan). Ini membolehkan mereka untuk sementara waktu. Pas adalah pengesahan dalam pasport yang memberikan kebenaran untuk tinggal dalam tempoh yang diluluskan.*

CLO2
C3

- (a) Based on the above statement, elaborate on the classes of pass that can be issued to a tourist

Berdasarkan pernyataan di atas, *huraikan tentang kelas - kelas pas yang boleh diisukan kepada pelancong*

[10 marks]

[10 markah]

- To provide guidelines to employers on the establishment of in-house mechanisms at the enterprise level to prevent and eradicate sexual harassment in the workplace.
- *Untuk memberikan garis panduan kepada majikan mengenai penubuhan mekanisme dalaman untuk mencegah dan membasmi gangguan seksual di tempat kerja.*

CLO2
C3

- (b) Explain sexual harassment according to Code of Practice on the Prevention & Eradication of Sexual Harassment 1999

Terangkan maksud gangguan seksual berdasarkan Kod Amalan Pencegahan & Pembasmian Gangguan Seksual 1999

[5 marks]

[5 markah]

“Maria had been molested recently by her boss. Afraid to lose her job if she reported the case, Maria pretended that nothing happened. As a result, she suffered stress & trauma.”

“Maria telah dicabul oleh majikannya. Akibat takut kehilangan kerja jika dia melaporkan perkara berkenaan, Maria mengambil sikap berdiam diri. Akibatnya, dia menghadapi stress & trauma”

CLO2
C4

- (c) Analyze the above situation and advise Maria the proper ways to report the case
Analisa situasi di atas dan nasihatkan Maria tentang cara melaporkan kejadian dengan betul

[5 marks]
[5 markah]

SOALAN TAMAT