PENINSULA COLLEGE GEORGETOWN

FINAL EXAMINATION

Programme Name	:	**DIPLOMA OF ACCOUNTANCY** **DIPLOMA IN BUSINESS STUDIES** **DIPLOMA IN LOGISTICS MANAGEMENT** **DIPLOMA IN E-BUSINESS TECHNOLOGY**
Course Code & Name	:	**DBLW 4013 I DEB 2213 I BUSINESS LAW** **DBLW 4033 LAW OF BUSINESS & CARRIAGE**
Duration	:	**3 HOURS**

INSTRUCTIONS TO CANDIDATES:

1. Please read the instructions given in the question paper **CAREFULLY.**
2. The question paper consists of **FOUR (4)** questions.
3. Answer **ALL** questions in the question paper.
4. Answers to the questions are to be written into the examination booklet.
5. Electronic dictionaries, lecture notes, files or any unauthorised materials except writing equipment are strictly prohibited.

This question paper must be submitted along with all used and/or unused rough papers and/ or graph papers (if any). Candidates are **NOT ALLOWED** to take any examination paper(s) used or unused out of the examination hall.

WARNING:

The Examination Board of Peninsula College Georgetown regards cheating as a very serious offence and will not hesitate to mete out the appropriate punitive actions according to the severity of the offence committed, and in the accordance with the clauses stipulated in the Students' Handbook, up to and including expulsion from Peninsula College Georgetown.

(*This booklet contains 3 printed pages including this page*)

DO NOT OPEN THIS BOOKLET UNTIL YOU ARE ALLOWED TO DO SO

Answer **ALL** questions on the separate sheet provided. **[100 marks]**

1. a) Briefly describe **TWO (2)** advantages and **TWO (2)** disadvantages of subsidiary legislation. (8 marks)

   b) Outline **THREE (3)** types of unwritten law. (3 marks)

   c) Briefly explain what a counter offer is and support your answer with relevant case law. (6 marks)

   d) Provide any **FOUR (4)** requirements of acceptance. (8 marks)

   Total: [25 marks]

2. a) Hanson wanted to buy an expensive antique imported from China from Mr Chong Guoren which he had seen at Mr Chong's house. After much consideration, Mr Chong agreed to sell the antique at RM1.5 million to Hanson. Neither Hanson nor Mr Chong was aware that the antique had already been destroyed due to a fire at Mr Chong's house after they had signed the contract. Consider the validity of the contract between Hanson and Mr Chong. (10 marks)

   b) Danny, the chairman of ABC Berhad holds more than 70% of the shares in the company. Terrence, the Chief Executive Officer, wants to be in control in the company. Terrance threatened Danny by placing a knife on his neck to force him sign an agreement to save his life. Explain the validity of agreement signed by Danny. Support your answer with relevant legislation and case law. (10 marks)

   c) Provide **FIVE (5)** vitiating factors that may affect the validity of contract. (5 marks)

   Total: [25 marks]

3. a) En Jin, Saran and Jung just graduated from Peninsula College with a Diploma in Accounting and they work in one of the biggest accounting firms in Malaysia. Three of them began to feel bored with their full-time desk jobs and decided to leave the company and join as a partnership by setting up a Harry Potter themed café due to the current increase of café hopping trend among youngsters nowadays. Advise them on the following matters:

      i) Any **TWO (2)** advantages and **TWO (2)** disadvantages of conventional partnership. (8 marks)

      ii) Any **FIVE (5)** ways a partnership can be dissolved. (5 marks)

b) Ron promised his wife Lana, that he will give her a diamond-studded gold bracelet for their wedding anniversary next month. Lana replied, “Are you serious about it?” Later Ron wrote his promise on a piece of paper. Signed it and placed it on his wife’s dressing table. In response, Lana told Ron that she will hold a grand dinner for the family and friends to celebrate the occasion. She will engage a famous caterer to prepare for the dinner at her own expense. Explain as to whether the promise made by Ron constitutes a valid contract. Support your answer with relevant legislation and case laws. (12 marks)

Total: [25 marks]

4. a) Jocelyn was texting on her smart phone whilst driving his car. At the junction of Abbey Road, she did not realise that the lights had turned red for the pedestrians to cross. She knocked into Hannah who was walking across the road without looking for oncoming cars. Hannah suffered a broken leg and injured her shoulder because of the accident. Advise Hannah on the course of action against Jocelyn under the law of tort. (20 marks)

b) Consider any defence(s) that Jocelyn would be able to raise. (5 marks)

Total: [25 marks]

- END OF QUESTIONS -