



FINAL EXAMINATION
FOUNDATION IN COMMERCE

COURSE : INTRODUCTION TO LAW

COURSE CODE : LAW1084

DURATION : 3 HOURS

INSTRUCTIONS TO CANDIDATES:

1. This question paper consists of **TWO (2)** parts : PART A (7 questions)
: PART B (2 questions)
2. Answer ALL questions in Part A and Part B in the Answer Booklet provided.
3. Please check to make sure that this examination pack consists of:
 - i. The Question Paper
 - ii. An answer booklet
4. Do not bring any material into examination hall.
5. Please write your answer using permanent ink.

MYKAD/ PASSPORT NO : _____
ID. NO. : _____
LECTURER : _____
SECTION : _____

DO NOT OPEN THIS QUESTION PAPER UNTIL YOU ARE TOLD TO DO SO

This question paper consists of 3 printed pages including the front page.

PART A: SHORT ESSAY

Answer ALL questions.

1. Explain the difference between criminal liability and civil liability with the reference to their liability.
(10 marks)
2. Explain the concept of actus reus and mens rea in establishing criminal liability.
(10 marks)
3. Explain the doctrine of judicial precedent in the English legal system.
(10 marks)
4. Discuss the advantages of judicial precedent that operates in both the English and Malaysian legal systems.
(10 marks)
5. Describe the main sources of English law.
(10 marks)
6. Explain the reception of English law in Malaysia, with reference to historical development.
(10 marks)
7. Explain the historical development of the Malaysian legal system, focusing on the influence of:
 - (a) British administration in the Malay states.
(10 marks)
 - (b) English law on the modern Malaysian legal system.
(10 marks)

(TOTAL: 80 MARKS)

PART B: CASE STUDY

Answer ALL questions.

Hafiz was driving his car at high speed in a residential area. Despite seeing a pedestrian crossing the road, Hafiz failed to slow down and knocked into Maria, causing her serious injuries. Hafiz claimed that he did not intend to harm Maria and that the accident was unavoidable.

Advise Maria on the following issues:

1. Discuss whether Hafiz may be liable under criminal law. (10 marks)
2. Discuss whether Maria may bring a claim against Hafiz under civil law. (10 marks)

(TOTAL: 20 MARKS)

(TOTAL: 100 MARKS)

END OF QUESTION PAPER

