

ACCA Skill Level

Paper LW MYS

CORPORATE & BUSINESS LAW

Progress Test 1

Question Paper	
Time allowed	20 mins
ALL questions are compulsory and must be attempted	
NAME:	

1. Which of the following refers to the law passed by Parliament?
 - A. Act
 - B. Enactment
 - C. Statute

2. The Court of Appeal will hear appeals from the decision of the :
 - A. Federal Court
 - B. High Court
 - C. Magistrates Court
 - D. Sessions Court

3. In a recent court proceedings, John Ringgo was found liable for breach of contract and ordered to pay damages in the sum of RM25,000.00. He is not satisfied with the decision and would like to appeal. He could appeal against the decision to the :
 - A. Federal Court
 - B. High Court
 - C. Court of Appeal
 - D. Sessions Court

4. Islamic laws are administered by the
 - A. High Court
 - B. Syariah Court
 - C. Sessions Court
 - D. Special Court

5. The following courts has been the highest court of the land and the final court for appeal in Malaysia except _____
 - A. The Supreme Court
 - B. The Privy Council
 - C. The Federal Court
 - D. The House of Lords

6. In the context of case law, which of the following applies to an *obiter dictum*?
 - A. It is binding on all future courts
 - B. It is binding on all lower courts
 - C. It is not binding on any courts
 - D. It is not binding outside the court it was issued in

7. Which of the following statements is TRUE?
- A. The decision of the Court of Appeal will bind the High Court
 - B. In Malaysia the Federal Constitution is not supreme
 - C. Parliament cannot amend the Act of Parliament.
 - D. The Court of Appeal hears appeals from decisions of the Federal Court
8. In the context of the Malaysia legal system, which of the following defines the *ratio decidendi* of a judgement?
- A The decision in a previous case
 - B The facts of the case
 - C The legal reason for deciding the case
 - D The future application of the case
9. Which of the following is the supreme law of the Federation of Malaysia?
- A The Parliament
 - B The Prime Minister
 - C The Federal Constitution
10. Which of the following describes the classification of sources of law?
- A Written or unwritten
 - B Civil or criminal
 - C Common law or equity
 - D Substantive or procedural
11. In the context of the Malaysian legal system, which of the following is the highest court in Malaysia?
- A Supreme Court
 - B Federal Court
 - C Apex Court
12. Who is the head of the Federal Court?
- A The Chief Judge
 - B The Chief Justice
 - C The Lord President

13. There are several rules which are applied in the interpretation of statutes. One of the rules is that where a statute refers to a class of items followed by a general term, the general term is interpreted to refer to that class of items only.

Which of the following rules of interpretation reflects this situation?

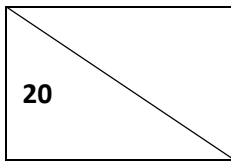
- A The ejusdem generis rule
 - B The golden rule
 - C The mischief rule
 - D The literal rule
14. Which of the following is the prosecutor in a criminal case?
- A. The State
 - B. The accused
 - C. The victim
15. Which of TWO following are the parties involved in a civil law case?
- (1) Accused
 - (2) Defendant
 - (3) Claimant
 - (4) Prosecution
- A. 1 and 4
 - B. 1 and 3
 - C. 2 and 3
 - D. 2 and 4
16. Which of the following types of legislation affects specific individual or groups?
- A. Enabling
 - B. Public
 - C. Private
17. Which rule of statutory interpretation states that words in a statute should be given their plain, ordinary meaning unless this would give rise to a manifest absurdity or inconsistency with the rest of the statute?
- A. Golden rule
 - B. Mischief rule
 - C. Contextual rule
18. The decision of which of the following courts is binding on the Court of Appeal?
- A. The High Court
 - B. The Sessions Court
 - C. The Federal Court

19. Imran claims that Zak owes him RM50,000 as a result of a breach of contract. In which court will Imran start his action against Zak?
- A. The magistrates' court
 - B. The county court
 - C. The High Court
20. Which of following statements in relation to legislation is correct?
- A. Legislation may modify or replace existing statutes
 - B. Legislation may not overrule or modify existing case law
 - C. Legislation may prevent a subsequent Parliament from changing the law
21. All the following statements relate to criminal law and civil law. Which one of the statements is correct?
- A. A criminal law may subsequently give rise to a civil case but a civil case cannot subsequently give rise to a criminal case
 - B. The main purpose of civil law is to compensate the injured party and to punish the injuring party
 - C. A custodial sentence can be passed on the defendant in a civil case, providing the defendant is a natural person and not incorporated body
 - D. The main purpose of civil law is to enforce the claimant's right rather than to punish the defendant
22. Which of the following courts has appellate jurisdiction only?
- A. Federal Court and Court of Appeal
 - B. High Court and Session court
 - C. Federal Court and High Court
23. Which of the following courts has civil jurisdiction?
- A. The session Court
 - B. The Magistrates' Court
 - C. The High Court
 - D. All the above
24. in the criminal law system, an immediate appeal regarding a decision by a Magistrates' Court could be heard by which of the following courts?
- A. The Federal Court
 - B. The High Court
 - C. The Court of Appeal
 - D. The Sessions Court

25. Which of the following classifies the unwritten sources of law?

- A. English Common Law and Equity
- B. Case law and Precedent
- C. Legislation and delegated legislation
- D. The Federal Constitution and State Constitution

END OF QUESTION PAPER



= _____ %