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UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER I
SESSION 2017/2018**

COURSE NAME : REAL ESTATE LAW I
COURSE CODE : BPE 12603
PROGRAMME CODE : BPD
EXAMINATION DATE : DECEMBER 2017 / JANUARY 2018
DURATION : 3 HOURS
INSTRUCTION : ANSWER ALL QUESTIONS

TERBUKA

THIS QUESTION PAPER CONSISTS OF **THREE (3)** PAGES

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Q1 Any club and society is bound by rules it creates in their own way. Law and its rules are not exceptions.

(a) Define:

- (i) Rule
- (ii) Law

(5 marks)

(b) Relate the various fields of laws to the business of real estate.

(20 marks)

Q2 Any dispute relating to real estate has to be settled between parties by unilateral reference to the court of law or another tribunal by mutual consent.

(a) Explain:

(i) The powers and jurisdiction of high courts on matters relating to land.

(8 marks)

(ii) The powers of session court relating to declaration on validity of contract, issue of specific performance order or injunctions.

(7 marks)

(b) Explain the role of Alternative Dispute Resolution methods and tribunals in settling disputes.

(10 marks)

Q3 Every enforceable agreement is a contract and every contract should have several elements where the lack of any of them will make the contract invalid or unenforceable by courts of law.

(a) Explain **FOUR (4)** elements of a valid contract that shall exist.

(8 marks)

(b) Discuss **TWO (2)** reasons for breach of contract.

(8 marks)

(c) Comment on **THREE (3)** remedies for breach of contract.

(9 marks)

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Q4 Ahmad invited Akram to his Hari Raya open house at 8:00 pm on 15 February 2018. Ahmad served all his guests a drink manufactured by Ayishah Sdn Bhd at the back of her coconut farm. Akram was served too. The drink came in bottles that were not transparent that did not show what was inside the bottle. Akram was busy talking to his friends at a corner of Ahmad House. As he poured the drink into his glass and drank it, he felt a strange taste and an object in his mouth. As he throw it out it was decomposed leg of a lizard. He was shocked and was taken to hospital for check out.

Advise Akram if he can sue anyone for his injury as result of the contaminated drink, based on relevant court case.

(25 marks)

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– END OF QUESTIONS –