



FAKULTI TEKNOLOGI DAN KEJURUTERAAN

PROGRAM	Diploma in Accountancy
COURSE NAME	Introduction to commercial law
COURSE CODE	LAW240
CREDIT HOUR	3
SYNOPSIS	<p>This course is meant to expose the students to a general overview of the commercial legal environment in Malaysia. Firstly, it discusses the Malaysian legal system covering sources of law, administration of justice, application of English law and the position of the Shariah. Secondly, this course also covers a basic understanding of the law of contract as the governing principle in all commercial transactions. This topic comprises the nature and legal consequences of a contract, formation of contract, discharge of contract, breach of contract and remedies. It also gives a basic understanding of the sale of goods and hire-purchase law. The law on cheques are also included since this is a common commercial practice in Malaysia. The coverage of these topics however will be minimal as the course aims to provide the students with only general guidelines to these commercial transactions</p>
COURSE STRUCTURE	
CHAPTER	TOPICS
1	<p>Introduction to the Malaysian Legal System</p> <p>1.1 Classification of Law 1.2 Sources of Law (written and unwritten) 1.3 System of Courts (Civil and Islamic) in Malaysia 1.4</p>
2	<p>Law of Contract</p> <p>2.1 Basic Elements of Contract 2.2 Discharge of Contract 2.3 Remedies</p>
3	<p>Sale of Goods</p> <p>3.1 Definition 3.2 Terms – Conditions and warranties 3.3 Transfer of title (nemo dat rule) and its exceptions 3.4 Remedies of unpaid seller and buyer</p>



4	Hire-Purchase 4.1 Definition 4.2 Formation of hire-purchase agreement 4.3 Statutory rights of hirer 4.4 Procedure of repossession
5	Law of Agency 5.1 Creation of agency 5.2 Duties of an agent to his principal 5.3 Duties of principal to his agent 5.4 Termination of an agency
6	Employment Law 6.1 Contract of Service and Contract for Service 6.2 Duty of employer and employee 6.3 Termination of employment 6.4 Dismissal and remedies for unfair dismissal
7	Monetary Instruments/cheque 7.1 Definition and characteristics of Cheques 7.2 Types of crossing on cheques 7.3 Protection of Paying and Collecting Bank
8	Introduction To Shari'ah Principles governing commercial transaction 8.1 Principles of valid contracts under Shari'ah 8.2 Types of Shari'ah contracts commonly used in commercial transactions 8.3 Comparison between Islamic and conventional banking
References:	Mei Pheng Lee, Ivan Jeron Detta, <i>Business Law</i> , 1, Oxford University Press, 2009, ISBN: 9789834505035