



FAKULTI PENGURUSAN DAN INDUSTRI HALAL

PROGRAM	Diploma in Technology Management
COURSE NAME	COMMERCIAL LAW
COURSE CODE	DDWG 3173
CREDIT HOUR	3
SYNOPSIS	All commercial transactions are governed by law. This course aims to provide knowledge about areas of law which affect commercial transactions. This course focuses on the Malaysian Legal System, Contract Law, Law of Agency, sale of goods, company law and partnership law.
COURSE STRUCTURE	
CHAPTER	TOPICS
1	INTRODUCTION TO THE MALAYSIAN LEGAL SYSTEM <ul style="list-style-type: none">• Definition of law, function of law• Law, state and constitution• Classification and sources of law• Theory of separation of powers and theory of check and balance• Legal jurisdiction between Federal and State Government
2	LAW OF CONTRACT (CONTRACTS ACT 1950) <ul style="list-style-type: none">• Introduction - Definition and elements of Contract• Formation of Contract-Offer, Invitation to treat
3	LAW OF CONTRACT (CONTRACTS ACT 1950) <ul style="list-style-type: none">• Introduction - Definition and elements of Contract• Formation of Contract-Offer, Invitation to treat• Formation of contract• Acceptance• Intention to create legal relation and consideration• Capacity to enter into contract• Certainty of terms



4	LAW OF CONTRACT <ul style="list-style-type: none">• Terms of Contract• Void and Illegal Contract• Discharge of Contract• Remedies for Breach of contract
5	SALE OF GOODS (SALE OF GOODS ACT 1957) <ul style="list-style-type: none">• Nature and elements of sale good contract• The law applicaple, scope of Sale of goods Act 1957 (SOGA)• Formation of Contract of Sale• Implied Terms under SOGA• Passing of property – specific & uncertain goods, when risk passes, frustration• Passing of Title: Nemo Dat Rule – exception to “Nemo dat quad non habet” Rule• Remedies for breach of contract of sale
6	LAW OF AGENCY <ul style="list-style-type: none">• Creation of Agency• Rights and Duties of an Agent, Agent and Third Party• Termination of an Agency
7	COMPANY LAW <ul style="list-style-type: none">• Legal entity of a company• Comparison and distinction between a company, partnership and sole proprietorship• Types of companies• Formation of a company
8	PARTNERSHIP LAW <ul style="list-style-type: none">• Definition and nature of partnership• Formation and duration of partnership• Liability of partnership



	<ul style="list-style-type: none">• Dissolution of partnership
References:	<ol style="list-style-type: none">1. Nor Sa'adah Abd Rahman, Lekha Laxman, Hakimah Muhammad Zin, Roshazliza wati Mohd Noor (2011). The Principles of Commercial Law. Penerbit UTM: Johor Bahru.2. M A Clarke, R J A Hooley (2017). Commercial Law: Text, Cases, and Materials. 5th Edition. Oxford Publisher.