

COURSE OUTLINE

Department & Faculty: Dept. of Built Environment Center For Diploma Studies SPACE	Page : 1 of 7
Course Code : Introduction To Law (DDPF 1613) Total Contact Hours : 56 hours	Semester: 1 Academic Session: 2012/2013

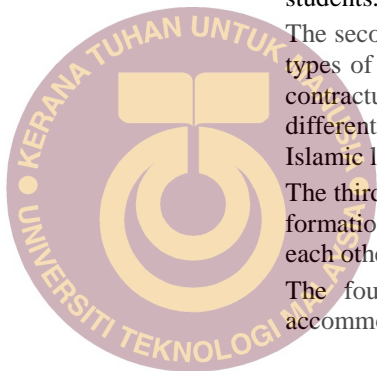
Lecturer :

Room No. :

Telephone No. :

E-mail :

Synopsis : The course is divided into several parts. The first part is designed to introduce students to the legal and administrative system in Malaysia. Such understanding is necessary since they will have to deal with various government agencies and provisions of the law in the later part of their career. Basically, it shall start by discussing the definition of law, roles and functions of law in upholding the legal and justice system, types of laws available during the pre –Independence, the current laws and their relevance to DDV students.



The second part concentrates on contract law, the elements of contract, terms of contract, types of contract, discharge of contract, legal remedies for breach of contract, Islamic contractual transaction. In continuation with the above, students shall be able to differentiate elements of contract under the civil and conventional law and also the Islamic law of contract.

The third part focuses on law of agency, the principles that are applicable in agency and formation of an agency, rights and obligations of both the agent and principles towards each other and third parties.

The fourth part briefly discusses the law of tort specifically on negligence to accommodate the specific needs of the course for DDV students.

LEARNING OUTCOMES

By the end of the course, students should be able to:

No	Course Learning Outcome	Programme Learning Outcome(s) Addressed	Bloom Taxonomy & Generic Skills	Assessment Methods
1	a. Identify the concept of law, sources of law, differences between the syariah and civil laws and the role of law in upholding justice in Malaysia and the rest of the world b. Identify the principles relating to	PO1	C3	T1, T2, F,

Prepared by: Name: Signature: Date:	Certified by: (Course Panel Head) Name: Signature: Date:
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	contract, agency and tort laws, the application and administration of these laws according to the subject matter in hand c. Describes the differences between rights and responsibilities of parties involved			
2.	a. Describes the differences and similarities between civil and Islamic contract law b. Describes the principles and provisions of all relevant statutes	PO1	C3	T1, T2, F,
3.	Express ideas clearly and effectively as well as demonstrate understanding	PO4	P3 CS1,CS3	A
4.	Relate relevant information in this subject to real estate profession	PO6	A3 LL1-LL2	A

STUDENT LEARNING TIME

Teaching and Learning Activities	Student Learning Time (hours)
1 Face to face learning	42
a. Lecturer- centred learning	
i. Lecture	
b. Student-centred learning	
i. Tutorial/ discussion	7
ii. Student-centred learning activities	7
2 Self-directed learning	
a. Non face to face learning, student-centered learning Such as manual, assignment, module, e-learning, library, report writing, etc	33
b. Revision	
c. Assessment preparation	16
	9

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3 Formal Assessment a. Continuous b. Final Exam	3 3
Total	120

TEACHING METHODOLOGY

Lecture and Discussion, Co-operative Learning, Independent Study, Individual or Group Assignment

WEEKLY SCHEDULE

PART A Introduction to Malaysian Legal system

Week 1

- 1.1 Definition of law
- 1.2 Functions and roles of law
- 1.3 Types of laws
 - a. civil law
 - b. criminal law
 - c. commercial law
 - d. private international law
 - e. public international law
 - f. landed property law
 - f. intellectual property law
 - g. Islamic law
- 1.4 Laws available during the
 - a. pre-Merdeka
 - b. post Merdeka

Week 2

- 2.0 Sources of law**
- 2.1 Definition of source of law
- 2.2 Definition of written law
- 2.3 Types and categories of written law
 - a. federal constitution
 - b. statutes
 - c. by- laws
 - d. ordinance
 - e. enactment
 - f. code

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Week 3

Sources of law

- 3.1 Definition of unwritten law
- 3.2 Types and categories of unwritten law
 - a. Judicial precedent
 - i. Hierarchy of the courts and its relevancy in law making
 - b. Principle of equity
 - c. Common law
 - d. Customary law- locals
 - i. Undang-undang adat perpatih
 - ii. Undang-undang adat temenggung
 - iii. Undang-undang adat kaum-kaum lain

Week 4

4.0 Islamic law in Malaysia

- 4.1 Special status of Islamic law
- 4.2 As written and unwritten laws
 - a. Quran and sunnah
 - b. Act and enactment on Islam /religious affairs
- 4.3 Application of Islamic law
 - a. On Muslims
 - a. On non Muslims

Part B

CONTRACT LAW

Week 5

- Definition of contract and types of contract (commercial, domestic, social)
- Capacity to enter into a contract
 - Parties
 - Age

- Basic elements in forming a legal contract
 - Offer –S. 2(a) of Contract Act 1960
 - Differences between offer and invitation to treat
 - Examples
 - Reasons

Week 6

- Types of offer and communication of contract – s. 3, s. 4, s. 6 4.4
- Lapse of an offer – s. 6, s. 7
- Acceptance- s. 2(b)
- Mode of acceptance and communication of acceptance- s. 2(b), s. 3, s. 4, s. 5 s. 6 and s. 7
- Consideration- s. 2(d)
- Types of consideration- s. 2(d) and s. 26
- Conditions for considerations under s. 2 (d) and s. 26

Week 7

MID TERM BREAK

Week 8

- Intention to create a contract
 - Negotiation could and could not form an intention
- Terms of contract
 - Types of terms
 - Oral, written, implied, expressed, conditions and warranty
 - Differences, significances and affects on contract

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Week 9

Voidable, void and unenforceable contract
 Reasons- for void contract- s. 2, s. 3, s. 4, s.6, s. 7, s. 10, s. 11, s.26,
 Reasons for voidable contract, s. 15, 16,s.17.s.18,s. 19, s. 20, s. 21,s. 22
 Discharge of contract
 a. By fulfilment
 b. by breach of contract
 c. frustration of contract
 7.2 damages of contract and remedies
 a. compensation- cash
 b. Injunction
 c. Specific performance

6.0

Part C

Agency Law

Week 10

Parties in agency relationship
 Capacity
 Intention and purpose of an agency
 Terms of an agency
 Contract of agency
 Manners / methods in creating an agency
 Types of agency
 i. In emergency
 ii. Implied
 iii. Expressed
 iv. Etc
 v. Examples
 Rights and obligations of
 i. Agent
 ii. Principal
 a. Towards each other
 b. Towards third parties
 Limitation of powers and obligations
 i. of agent
 ii. principal
 a. towards each other
 b. towards third parties

Week 11

Rights and obligations of
 iii. Agent
 iv. Principal
 a. Towards each other
 b. Towards third parties
 Limitation of powers and obligations
 iii. of agent



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- iv. principal
 - c. towards each other
 - d. towards third parties

PART D TORT LAW

Week 12 Definition of tort
Scope of law
Negligence
Definition of negligent (according to literal meaning)
Definition of tort according law of tort

Week 13 Duty of care
Breach of duty of care
Damages as a direct result from breach
Damages in terms of physical or non-physical injuries
Compensation-types of compensation

Week 14 **Questions & Answers- Revisions**

REFERENCES :

Federal Constitution 1956
Civil Law Act 1956
Akta Kontrak dan Agensi 1960

1. **The Malaysia Legal System**, Wan Arfah Hamzah dan Ramy Bulan Fajar Bakti (2006)
2. **Soal Jawab Undang-undang Kontrak**, Muhammad Fathi Yusof PTS Professional (2006)
3. **The Malaysian Legal System**, Wu Min Aun Pearson Longman (2005)
4. **Pengenalan kepada Undang-undang Kontrak** Abdul Aziz Husin Dewan Bahasa dan Pustaka (2001)
5. **Malaysian Commercial Law**, Muhamad Rizal bin Razman McGraw Hill (2001)
6. **The Commercial Law of Malaysia**, Beatrix Vohrah and Wu Min Aun Longman (2000)
7. Nor Ashikin Mohd Yusof, **Pengenalan kepada Sistem Perundangan Malaysia**, KST, UTM, KL, 2000.
8. Lee Mei Phenh, **General Principles of Malaysian Law**, Fajar Bakti, Kuala Lumpur, 2006.
9. Nor Ashikin Mohd Yusof, **Asas Undang-undang kontrak di Malaysia**, KST, UTM, KL, 2000.

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10. Nur Chaya Talib, *Torts in Malaysia*, UM Publication, 2nd Ed. KL, 2003.

GRADING:

No	Description	Number	% each	% total	Dates
1	Test 1 (individual / group)	1	15	15	
2	Test 2 (individual/ group)	1	15	15	
3	Final Exam	1	60	60	
4	Assignment	1	CS1-CS3 LL1-LL2 10	10	
Overall Total				100	



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