KEMENTERIAN PENDIDIKAN TINGGI
JABATAN PENDIDIKAN POLITEKNIK DAN KOLEJ KOMUNITI

BAHAGIAN PEPERIKSAAN DAN PENILAIAN
JABATAN PENDIDIKAN POLITEKNIK DAN KOLEJ KOMUNITI
KEMENTERIAN PENDIDIKAN TINGGI

JABATAN PELANCONGAN DAN HOSPITALITI

PEPERIKSAAN AKHIR

SESI I : 2026/2027

DTA40263: HOSPITALITY LAW

TARIKH : 21 OKTOBER 2026
MASA : 8.30 PAGI - 10.30 PAGI (2 JAM)

Kertas ini mengandungi **ENAM (6)** halaman bercetak.

Struktur (4 soalan)

Dokumen sokongan yang disertakan : Tiada

JANGAN BUKA KERTAS SOALAN INI SEHINGGA DIARAHKAN

(CLO yang tertera hanya sebagai rujukan)

TERBUKA

INSTRUCTION:

This section consists of **FOUR (4)** structured questions. Answer **ALL** questions.

ARAHAN:

*Bahagian ini mengandungi **EMPAT (4)** soalan berstruktur. Jawab **SEMUA** soalan.*

QUESTION 1

SOALAN 1

CLO1 (a) Explain **THREE (3)** main sources of Law in Malaysia.

*Bincangkan **TIGA (3)** sumber utama undang-undang di Malaysia.*

[6 marks]

[6 *markah*]

CLO1 (b) Contracts are classified into different categories based on their legal effect under the law. Discuss **THREE (3)** types of contracts based on their enforceability.

*Kontrak diklasifikasikan kepada beberapa kategori berdasarkan kesan perundangannya. Bincangkan **TIGA (3)** jenis kontrak berdasarkan kebolehkuatkuasaannya di sisi undang-undang.*

[9 marks]

[9 *markah*]

CLO1 (c) According to Section 2(h) of the Contracts Act 1950, a contract is an agreement enforceable by law. Explain briefly **FIVE (5)** essential elements of a contract that make it legally enforceable.

*Menurut Seksyen 2(h) Akta Kontrak 1950, kontrak ialah suatu perjanjian yang boleh dikuatkuasakan di sisi undang-undang. Jelaskan secara ringkas **LIMA (5)** elemen penting sesuatu kontrak yang menjadikannya boleh dikuatkuasakan di sisi undang-undang.*

TERBUKA

[10 marks]

[10 *markah*]

QUESTION 2
SOALAN 2

CLO2 (a) The case of ***Donoghue v Stevenson*** (1932) established the principle of duty of care in the tort of negligence. Complete the following case brief in the table provided.

*Kes **Donoghue v Stevenson** (1932) telah menetapkan prinsip kewajipan berjaga-jaga dalam tort kecuaian. Lengkapkan ringkasan kes berikut dalam jadual yang disediakan.*

Table A / *Jadual A*

Issue/ *Isu*	a)
Facts / *Fakta*	a)
	b)
Judgement / *Keputusan Kehakiman*	a)
	b)

[5 marks]
[5 *markah*]

CLO2 (b) A guest staying at a hotel slipped and fell in the lobby area. The floor had recently been cleaned, but the hotel staff did not place any warning signs. The guest suffered a serious injury and claimed that the hotel was negligent.
Analyse the above situation based on the elements of negligence and the hotel's liability for the guest's injury.

Seorang tetamu yang menginap di sebuah hotel telah tergelincir dan terjatuh di kawasan lobi. Lantai tersebut baru sahaja dibersihkan, tetapi kakitangan hotel tidak meletakkan sebarang papan tanda amaran. Tetamu tersebut mengalami kecederaan serius dan mendakwa bahawa pihak hotel telah cuai.
Analisis situasi di atas berdasarkan elemen-elemen kecuaian dan liabiliti hotel terhadap kecederaan yang dialami oleh tetamu tersebut.

TERBUKA

[10 marks]
[10 *markah*]

CLO2 (c) Classify the following entrants according to their visitor type and the characteristics of each visitor type under occupiers' liability.

i. Supplier
ii. Intruder
iii. Employee
iv. Hotel guest
v. Restaurant customer

Klasifikasikan individu berikut mengikut jenis pelawat serta ciri-ciri bagi setiap jenis pelawat di bawah liabiliti penghuni.

i. Pembekal
ii. Penceroboh
iii. *Pekerja*
iv. Tetamu hotel
v. Pelanggan restoran

[10 marks]
[*10 markah*]

QUESTION 3
SOALAN 3

CLO2 (a) A hotel guest expects the innkeeper to fulfil certain duties throughout their stay. Write **THREE (3)** duties of an innkeeper towards the guest.

*Seorang tetamu hotel mengharapkan pihak penginapan melaksanakan tanggungjawab tertentu sepanjang tempoh penginapannya. Tuliskan **TIGA (3)** tanggungjawab pihak penginapan terhadap tetamu tersebut.*

TERBUKA

[6 marks]
[6 *markah*]

CLO2 (b) An innkeeper has certain rights when dealing with hotel guests and their belongings. Determine **THREE (3)** rights of an innkeeper according to the Innkeepers Act 1952.

Pihak penginapan mempunyai hak tertentu ketika berurusan dengan tetamu hotel dan harta benda mereka. ***TIGA (3)*** *hak pemilik penginapan berdasarkan Akta Pemilik Penginapan 1952.*

[9 marks]
[*9 markah*]

CLO2 (c) Analyse the following situations and determine whether the hotel is liable or not liable for any loss or damage to the guest's property under the Innkeepers Act 1952, with relevant justification for each situation.

i. Guest's luggage was lost while kept by hotel staff.
ii. Guest's laptop was stolen due to faulty room door lock.
iii. Guest's coat was damaged during the hotel's laundry service.
iv. Guest's mobile phone is missing after being left unattended in the lobby.
v. A guest's jewellery went missing after being left in the room rather than stored in the safety deposit box.

Analisis situasi berikut dan tentukan sama ada pihak hotel bertanggungjawab atau tidak bertanggungjawab terhadap sebarang kehilangan atau kerosakan harta benda tetamu di bawah Akta Penginapan 1952, dengan justifikasi yang relevan bagi setiap situasi.

i. Bagasi tetamu hilang semasa disimpan oleh kakitangan hotel.
ii. Komputer riba tetamu dicuri akibat kunci pintu bilik hotel yang rosak.
iii. Kot tetamu rosak semasa perkhidmatan dobi hotel.
iv. Telefon bimbit tetamu hilang selepas ditinggalkan tanpa pengawasan di lobi.
v. Barang kemas tetamu hilang selepas ditinggalkan di dalam bilik dan bukannya disimpan di dalam peti simpanan keselamatan.

TERBUKA

[10 marks]
[*10 markah*]

QUESTION 4

SOALAN 4

CLO2 (a) An employer may terminate an employee based on certain workplace circumstances that are considered reasonable. Provide **FIVE (5)** reasons that may constitute a 'just cause' for termination of employment.

*Seorang majikan boleh memberhentikan pekerja berdasarkan keadaan tertentu di tempat kerja yang dianggap munasabah. Berikan **LIMA (5)** alasan yang boleh menjadi 'sebab munasabah' bagi penamatan pekerjaan.*

[5 marks]

[*5 markah*]

CLO2 (b) A newly established hotel plans to hire employees for its various departments and wants to understand the duties and responsibilities of an employer. Determine **FIVE (5)** common duties of an employer.

*Sebuah hotel yang baru ditubuhkan merancang untuk mengambil pekerja bagi pelbagai jabatan dan ingin memahami tugas serta tanggungjawab seorang majikan. Tentukan **LIMA (5)** tugas umum seorang majikan.*

[10 marks]

[*10 markah*]

CLO2 (c) Sexual harassment is a serious workplace issue that can affect employees' dignity, safety, comfort, and well-being. Based on Section 2 of the Employment Act 1955, classify **FIVE (5)** forms of sexual harassment that may occur in the workplace.

*Gangguan seksual merupakan isu serius di tempat kerja yang boleh menjejaskan maruah, keselamatan, keselesaan dan kesejahteraan pekerja. Berdasarkan Seksyen 2 Akta Kerja 1955, kelaskan **LIMA (5)** bentuk gangguan seksual yang mungkin berlaku di tempat kerja.*

TERBUKA

[10 marks]

[*10 markah*]

SOALAN TAMAT