

SULIT



**KEMENTERIAN PENDIDIKAN TINGGI
JABATAN PENDIDIKAN POLITEKNIK DAN KOLEJ KOMUNITI**

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

JABATAN PERDAGANGAN

PEPERIKSAAN AKHIR

SESI I : 2025/2026

DPN20023 : INSURANCE LAW

TARIKH : 22 NOVEMBER 2025

MASA : 8.30 PAGI - 10.30 PAGI (2 JAM)

Kertas soalan ini mengandungi **TUJUH (7)** halaman bercetak.

Struktur (4 soalan)

Dokumen sokongan yang disertakan : Tiada

JANGAN BUKA KERTAS SOALAN INI SEHINGGA DIARAHKAN

(CLO yang tertera hanya sebagai rujukan)

SULIT

INSTRUCTION:

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

ARAHAN:

Bahagian ini mengandungi EMPAT (4) soalan struktur. Jawab SEMUA soalan.

QUESTION 1**SOALAN 1**

CLO1

- (a) List **FIVE (5)** written sources of Malaysian Law.

Senaraikan LIMA (5) sumber bertulis Undang-undang Malaysia.

[5 marks]

[5 markah]

CLO1

- (b) Aliah has lost her Persian cat, Puteh. She advertised in a newspaper Berita Kini, the reward of RM 1500 to anyone who found and returned Puteh to her. Amirul, Aliah's neighbour who was cleaning his backyard found a Persian cat on his rambutan tree. He knew the cat belonged to Aliah so he returned it to her. Amirul only know the promised reward the next day. Discuss whether Amirul is entitled to claim the RM1500 reward money from Aliah.

Aliah telah kehilangan kucing Parsinya, Puteh. Dia mengiklankan dalam akhbar Berita Kini, ganjaran sebanyak RM1500 kepada sesiapa yang menemui dan memulangkan Puteh kepadanya. Amirul, jiran Aliah yang sedang membersihkan halaman rumahnya menemui seekor kucing Parsi di atas pokok rambutannya. Dia tahu kucing itu milik Aliah jadi dia mengembalikan kucing itu kepadanya. Amirul hanya tahu ganjaran yang dijanjikan pada keesokan harinya. Bincangkan sama ada Amirul layak menuntut wang ganjaran RM1500 daripada Aliah.

[10 marks]

[10 markah]

CLO1

- (c) Elaborate an invitation to treat in the following situations:

Huraikan pelawaan tawaran dalam situasi di bawah:

- (i) Auction / lelongan
(ii) self-service shop / kedai layan diri

[10 marks]

[10 markah]

QUESTION 2**SOALAN 2**

CLO1

- (a) Describe Specific Performance as one of remedies for a breach of contract:

Huraikan Pelaksanaan Spesifik sebagai salah satu remedi untuk pelanggaran kontrak

[5 marks]

[5 markah]

CLO1

- (b) Atira, a 15 years old student bought the following items from Zara.

Atira, seorang pelajar berusia 15 tahun membeli barangan berikut daripada Zara.

- (i) Foodstuffs cost RM50

Barang makanan berharga RM50

- (ii) A digital camera worth RM1000

Satu kamera digital berharga RM1000

Atira refuses to pay for all the goods. Explain whether the contract exists for both items.

Atira enggan membayar semua barang tersebut. Jelaskan sama ada kontrak wujud untuk kedua-dua barang tersebut.

[10 marks]

[10 markah]

CLO1

- (c) Ascertain whether the contract is valid due to certainty in the following situations.

Tentukan sama ada kontrak adalah sah bagi kepastian dalam situasi berikut.

- (i) Chin has two Saga cars and he wants to sell one of his car for RM24,000. He asks Mat whether he is interested in buying either his red or white Saga. Mat said "I agree to buy one of your cars with that price".

Chin mempunyai dua buah kereta Saga dan dia ingin menjual sebuah keretanya dengan harga RM24,000. Dia bertanya kepada Mat sama ada dia berminat untuk membeli sama ada Saga merah atau putihnya. Mat berkata "Saya bersetuju untuk membeli satu kereta anda dengan harga itu".

[3 marks]

[3 markah]

- (ii) Kaiyisa is a specialist dealer of vanilla perfumes. Kaiyisa offered two bottles of perfume to Ameena with the price of RM100 and Ameena accepted it.

Kaiyisa ialah pengedar khusus minyak wangi vanila. Kaiyisa menawarkan 2 botol minyak wangi kepada Ameena dengan harga RM100 dan Ameena menerimanya.

[4 marks]

[4 markah]

- (iii) Hamim is a dealer of various types of ornamental fish. He makes an offer to sell 100 fish for a specified price to Adam. Adam accepted the offer.

Hamim seorang peniaga pelbagai jenis ikan perhiasan. Dia membuat tawaran untuk menjual 100 ekor ikan dengan harga yang ditetapkan kepada Adam. Adam menerima tawaran itu.

[3 marks]

[3 markah]

QUESTION 3**SOALAN 3**

- CLO1 (a) Discuss the differences between **TWO (2)** types of defamation.
*Bincangkan perbezaan di antara **DUA (2)** jenis hasutan.*
- [5 marks]
[5 markah]
- CLO1 (b) Negligence can be defined as a breach of a legal duty to take care which result in damage, undesired by the defendant, to the plaintiff. Write **FOUR (4)** elements of negligence.
*Kecuaian boleh ditakrifkan sebagai pelanggaran kewajipan undang-undang untuk menjaga yang mengakibatkan kerosakan, yang tidak diingini oleh defendan, kepada plaintif. Tuliskan **EMPAT (4)** unsur kecuaiian.*
- [10 marks]
[10 markah]
- CLO1 (c) William John, from Cook Island is being accused as convicted of a bigamy. It was spread by his neighbour who read the newspaper as regard to someone named William from Cook Island, who had been convicted of bigamy. In fact, the newspaper was not referring to William John. He was disappointed with the rumours. Solve whether William John can take legal action againsts the newspaper company.
William, dari Pulau Cook dituduh sebagai pesalah bagi kes beristeri dua. Ia telah disebarkan oleh jirannya yang membaca surat khabar berkaitan seseorang yang bernama William telah disabitkan dengan kesalahan beristeri dua. William kecewa apabila jirannya menyebarkan khabar angin itu. Selesaikan sama ada William boleh mengambil tindakan undang-undang terhadap syarikat suratkhbar.
- [10 marks]
[10 markah]

QUESTION 4**SOALAN 4**

CLO1

- (a) Elaborate the term 'insurable interest'.

Jelaskan terma 'kepentingan boleh insurans'

[5 marks]

[5 markah]

CLO1

- (b) Insurance contracts are 'uberrimae fidei' (of the utmost good faith). Ascertain **FOUR (4)** ways on how a breach of utmost good faith might happen.

Kontrak insurans adalah uberrimae fidei (dengan niat baik sepenuhnya).

*Kenalpasti **EMPAT (4)** di mana pelanggaran nilai murni mungkin berlaku.*

[10 marks]

[10 markah]

CLO1

- (c) Aqid an agent of Cendana Insurance Co., gave certain explanation about life insurance policy to Fareez, his prospect. Fareez agreed to purchase a life insurance policy proposed by Aqid. Aqid then helped Fareez to fill in the form containing the basis of contract clause. Fareez informed Aqid that he was suffering with tumor but Aqid failed to write it in the proposal form. When a claim is made, it was rejected due to non disclosure of material fact.

Aqid, ejen Cendana Insurance Co. memberi penjelasan tertentu mengenai polisi insurans hayat kepada Fareez, prospeknya. Fareez bersetuju untuk membeli polisi insurans hayat yang dicadangkan oleh Aqid. Aqid kemudian membantu Fareez mengisi borang yang mengandungi asas klausa kontrak. Fareez memaklumkan kepada Aqid bahawa dia menghidap tumor tetapi Aqid gagal menulisnya dalam borang cadangan. Apabila tuntutan dibuat, ia ditolak kerana tidak mendedahkan fakta material.

- i. Ascertain whether Aqid has authority to fill in the form on behalf of proposer.

Pastikan sama ada Aqid mempunyai kuasa untuk mengisi borang bagi pihak pencadang.

[6 marks]

[6 markah]

- ii. Write an explanation on the rights of Fareez.

Sediakan hak Fareez

[4 marks]

[4 markah]

SOALAN TAMAT