



**KOLEJ YAYASAN PELAJARAN JOHOR
FINAL EXAMINATION**

**COURSE NAME : LEGAL ASPECTS IN HOSPITALITY
INDUSTRY**

COURSE CODE : DHM 3123

EXAMINATION : DISEMBER 2022

DURATION : 3 HOURS

INSTRUCTION TO CANDIDATES

1. This question paper consist of **THREE (3)** parts :
 - PART A (30 Marks)
 - PART B (50 Marks)
 - PART C (20 Marks)
2. Candidates are not allowed to bring any material to examination room except with the permission from the invigilator.
3. Answer ALL questions in the answer booklet provided.
4. Please check to make sure that this examination pack consists of:
 - i. Question paper
 - ii. Answer booklet

DO NOT TURN THIS PAGE UNTIL YOU ARE TOLD TO DO SO

This examination paper consists of 5 printed pages including the front page

PART A

This part consist of **SIX (6)** questions.

Answer **ALL** questions in the answer booklet.

QUESTION 1

Section 15 of the Tourism Industry Act 1992 requires that a travel company submits certain information upon request by the Commissioner of Tourism. Explain any **five (5)** informations that the travel company must submit to the Commissioner of Tourism.

(5 marks)

QUESTION 2

Briefly explain the occupier's duty of care to invitees and trespassers.

(5 marks)

QUESTION 3

"An innkeeper has a duty to provide goods and service in a non-discriminatory manner". Discuss **two (2)** examples of discrimination in the hotel industry.

(5 marks)

QUESTION 4

Discuss the disciplinary procedure laid down by the MATTA Code on any member who fails to comply with its Code of Ethics.

(5 marks)

QUESTION 5

Explain the term "food" as provided in The Food Act 1983 and the types of substances not considered as food under the Act.

(5 marks)

QUESTION 6

A buyer is entitled to the protection of implied terms that ordinarily covers consumer transactions. Briefly discuss the concept implied terms.

(5 marks)

[30 MARKS]

PART B

This part consist of **FOUR (4)** questions.

Answer **ALL** questions in the answer booklet.

QUESTION 1

Farid, a 15-year-old student entered into the following transactions:

- i) A loan with Yayasan Budi Malaysia to pay for his tuition fees;
- ii) The purchase of a pair of trousers for school;
- iii) The purchase of a car with Kedai Kereta Terpakai.

Advise Farid of the legality of his transactions.

(15 Marks)

QUESTION 2

Williams was skating on the sidewalk when he was hit by a van. He found out that the driver of the van was drinking coffee and talking on his mobile phone while driving which caused his attention to be diverted from the road. The van swerved up over the curb and onto the sidewalk, hitting Williams, who suffered serious injury.

Advise Williams whether he can sue the driver of the van for negligence.

(15 Marks)

QUESTION 3

Brown's vehicle broke down while near Traveller's Inn at 2 o'clock in the morning. He went into the inn and requested refreshment and accommodation. The inn provided him with refreshments but refused accommodation because all the rooms in the inn were occupied. Brown asked whether he could sleep in the lounge. The innkeeper refused to allow him to do so.

Brown wanted to know if the innkeeper had breached his duties.

(10 marks)

QUESTION 4

Alpha Sdn. Bhd. was the importer of mutton from India. The mutton was certified as halal by an Indian halal certification authority. However, the authority was not recognised by the Department of Islamic Development Malaysia (JAKIM).

Besides importing mutton, Alpha Sdn. Bhd. was also a producer of fish products. Since the company processed fish products, it did not think that its products could possibly be non-halal and had not bothered to apply for halal certification. Instead, Alpha applied for halal logo on all its products.

Consider whether Alpha Sdn. Bhd. has breached the practices as regards certification of halal food.

(10 marks)

[50 MARKS]

PART C

This part consist of **ONE (1)** question.

Answer **ALL** questions in the answer booklet.

QUESTION 1

Khalidah bought a brand new water purifier that comes with a free service for two years for her home. She recently found out that a consumer is protected by the Sale of Goods Act 1957 and the Consumer Protection Act 1999. Advise Khalidah regarding the difference between the Sale of Goods Act 1957 (SOGA) and the Consumer Protection Act 1999 (CPA).

(20 marks)

[20 marks]

END OF QUESTION PAPER

