

# ***MALAYSIAN LEGAL SYSTEM***

## ***LLB 10103***

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(FUHA)***



***SUMMARY OF COURSE***

# ► KALENDAR AKADEMIK UNISZA...

AKTIVITI	TARIKH	TEMPOH	CATATAN
KULIAH	7 Mac – 24 April 2021	7 minggu	26 Apr.- Hari Keputeraan Sultan Terengganu
Cuti Pertengahan Semester	25 April – 1 Mei 2021	1 minggu	29 Apr. – Hari Nuzul al-Quran
KULIAH	2 Mei – 19 Jun 2021	7 minggu	1 Mei – Hari Pekerja
Ulangkaji	20 - 22 Jun 2021	3 hari	13 -14 Mei – Hari Raya Aidilfitri
PEPERIKSAAN AKHIR	23 Jun – 10 Julai 2021	2 minggu	26 Mei - Hari Wesak
Cuti Semester I (diploma)	11 – 24 Julai 2021	2 minggu	07 Jun - Hari Keputeraan YDP Agong
Cuti Semester II (ijazah)	11 Julai – September**		19 Jul – Hari Arafah
			20-21 Jul – Hari Raya Haji
			10 Ogos – Awal Muharam
			31 Ogos – Hari Kebangsaan



# *SYNOPSIS OF THE COURSE*

This course introduces the legal system of Malaysia. It provides discussion on the historical development of the legal system and the main legal sources namely constitutions, legislation, judicial precedents, customs, Islamic law and English common law. It also discusses the hierarchy, establishment and jurisdiction of Malaysian courts and tribunals as well as the legal institutions which includes judicial service, legal service and legal practitioners. Students are expected to have a clear overview on the historical background of Malaysian legal system and the basic principles governing the legal system.

# *COURSE LEARNING OUTCOMES (CLO)*

**At the end of this course, students will be able to:**

CLO 1	Study the historical background and principles of Malaysian legal system (A3)
CLO 2	Explain the sources of Malaysian law (C2)
CLO 3	Analyse the various institutions and organs of governance under the Malaysian legal system (C4)

# TOPICS & ASSESSMENTS



WEEK	TOPIC	ASSESSMENT
1	<b>Introduction</b> : An overview of Malaysian legal system	Assignment
2	<b>Development of Malaysian legal history (Part 1)</b> - Malacca Sultanate - Straits Settlements	Assignment
3	<b>Development of Malaysian legal history (Part 2)</b> - Malay States - Borneo - Independence	Assignment
4	<b>Introduction to law &amp; legal method:</b> - Meaning of law - Classification of law - Reading a case law	Assignment
5	<b>Legal Source: English common law &amp; equity</b> - Meaning - Application under section 3, 5 & 6 of Civil Law Act 1950	Quiz 1 Quiz 2

WEEK	TOPIC	ASSESSMENT
6	<b>Legal Source: Customary laws</b> - East Malaysia - West Malaysia - Current Position	Quiz 1 Quiz 2
7	<b>Legal Source: Islamic law</b> - Intervention of British - Islamic law under Federal Constitution	Quiz 1 Quiz 2
<b>MID-SEMESTER BREAK</b>		
8	<b>Legal Source: Judicial Precedent</b> - Application in Malaysian Superior Courts - Advantages & Disadvantages	Quiz 1 Quiz 2
9	<b>Legal Source: Constitution</b> - Historical Background - Basic Features - Amendment - Supremacy	Quiz 1 Quiz 2

WEEK	TOPIC	ASSESSMENT
10	<b>Legal Source: Legislation</b> - Legislative Process - Subsidiary Legislation - Statutory Interpretation	Quiz 1 Quiz 2
11	<b>Administration of Justice (Part 1):</b> - Consti & Jurisdiction of superior courts - Consti & Jurisdiction of subordinate courts	Presentation Open Book Test
12	<b>Administration of Justice (Part 2):</b> - Jurisdiction of Specialised courts - Jurisdiction of Tribunals	Presentation Open Book Test
13	<b>Legal Education &amp; Profession (Part 1):</b> - Legal Education - Judicial Service	Presentation Open Book Test
14	<b>Legal Education &amp; Profession (Part 2):</b> - Legal Service - Legal Practitioners	Presentation Open Book Test

# ASSESSMENTS & MARKS

ASSESSMENTS	MARKS
<b>QUIZ 1 (C2)</b> (multiple choice / true false)	10%
<b>REPORT / ASSIGNMENT (A3)</b> (groupwork task) 15-25 pg	20%
<b>PRESENTATION (C4)</b> (present the assignment individually)	20%
<b>QUIZ 2 (C2)</b> (multiple choice / true false)	30%
<b>OPEN BOOK TEST (C4)</b> (analysis questions)	20%

## LIST OF REFERENCES...

1. Mohamed, Ashgar Ali Ali. (2020). *Malaysian Legal System*. 2<sup>nd</sup> ed. Kuala Lumpur: Malaysian Current Law Journal Sdn Bhd. (text book)
2. Hamzah, Wan Arfah. (2009). *A First Look at the Malaysian Legal System*. Selangor: Oxford Fajar Sdn. Bhd
3. Buang, Salleh. (2015). *Malaysian Legal History: Cases and Materials*. 2nd ed. Kuala Lumpur: Dewan Bahasa dan Pustaka.
4. Alagan, Srimurugan. (2014). *Jurisdiction of Courts in Malaysia*. 2nd ed. Kuala Lumpur: Sweet & Maxwell.

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9. Hj Awal, Noor Aziah. (2003). *Pengenalan Kepada Sistem Perundangan Malaysia*. Selangor: International Law Books Service.
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