

THE OPEN UNIVERSITY OF SRI LANKA
MASTER OF TECHNOLOGY IN INDUSTRIAL
ENGINEERING PROGRAMME
THE LAW AND INDUSTRY- LWJ7101
FINAL EXAMINATION 2015/2016
DURATION: THREE (03) HOURS



DATE : 5TH DECEMBER 2016

TIME : 9.30 A.M - 12.30 P.M

Answer FIVE (05) questions only with at least ONE (01) from each section.
Students will be penalized for illegible handwriting.

SECTION - A

1. Discuss the scope and application of the Personal Laws of Sri Lanka. Your answer should be supported with relevant examples.

(20 marks)
2. (a) Discuss the sources of law in Sri Lanka, illustrating the importance of each source.

(15 marks)

(b) Briefly discuss about the various powers vested to the Supreme Court in Sri Lanka

(5 marks)

SECTION - B

3. Explain the meaning of the following terms.
 - I. Agreement.
 - II. Illegality.
 - III. Exemption clause.
 - IV. Misrepresentation.
 - V. Capacity to contract.

(4 x 5 = 20 marks)

4. Discuss the legal consequences of the following situations.

- I. Amal offered to sell 10,000 bricks at the rate of Rs. 25/= to Dhammika on the 5th of November. Dhammika accepted on the 6th of November. The price of bricks went up in the market on the 8th of November and Amal revoked his offer on the 9th of November. **(7 marks)**
- II. Rohan agreed to design a computer programme to calculate taxes for Nawala Municipal Council. The programme was to be delivered in June. However, Rohan only delivered it in August. It was later discovered that the taxes which had been calculated manually during July were wrong and that the Council had lost Rs. 500,000 in taxes. **(7 marks)**
- III. The Road Development Authority decided to build a highway from Nawala to Battaramulla. However instead of giving the contract to the company that was willing to do the job for the lowest price, they awarded it to Royal Builders who quoted a higher price as they promised to pay a 20% commission to the Chairman of the Road Development Authority. **(6 marks)**

SECTION - C

5. Ranjan is the owner of 20 acres of land in Ja- Ela and has decided to build a large apartment and office complex. The construction was assigned to BICC Builders. Ranjan instructed BICC Builders that the complex should consist of eight apartment blocks, six office buildings, a hotel, and a shopping centre. BICC Builders has subcontracted with S&S Architects to design the complex. The design was approved and the construction had commenced. In the midst of construction the following incidents occurred.

Discuss the remedies available to the affected parties

- a. One apartment building and the parking garage adjoining the apartment collapsed. As a result, 50 construction workers died and 15 others were injured.
- b. A 5 year old child who came to play on the land fell into a trench and was injured.

(20 marks)

6. (a) What do you understand by Strict Liability under tort law?

Explain your answer with case law and examples.

(8 marks)

(b) Discuss the defenses available for the principle of strict liability

(12 marks)

SECTION - D

7. Explain the legal aspects relating to different types of employment prevailing in Sri Lanka.

(20 marks)

8. Answer any ONE of the following:

a.) Explain the legal aspects relating to termination of employment in Sri Lanka.

b.) Explain the mechanisms provided in the Industrial Disputes Act for the settlement of industrial disputes.

(20 marks)

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