THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF ENGINEERING TECHNOLOGY
BACHELOR OF SOFTWARE ENGINEERING HONOURS- LEVEL 3
FINAL EXAMINATION (OBT) – 2022/2023
LLJ3265 INTRODUCTION TO LAWS OF SRI LANKA
DURATION – TWO HOUR

DATE: 25th of October 2023 **TIME: 9.30 a.m – 11.30 a.m**

Total Number of questions: (06)

Answer four (04) questions only

Each question carries 25 Marks

Candidates will be penalized for illegible handwriting.

1. ABC (Pvt) Ltd decided to market a product called 'Natural Beauty Soap' and advertise it as follows ;

> "Experience the Magic of Youth - Try 'Natural Beauty' for 6 days and witness the transformative power of the Sri Lankan Lotus. Rs. 100,000/- reward will be given to anyone who doesn't experience noticeable skin improvements after following the directions are given by the company the soap"

Vandana, a young model who plans to participate in a high-profile beauty contest, saw the advertisement and was eager to enhance her skin for the competition. She purchased a bar of soap from 'Natural Beauty' and diligently applied it as instructed for six days. Unfortunately, on the seventh day, Vandana noticed adverse effects on her skin, with redness appearing. Vandana is considering legal action against ABC (Pvt) Ltd, as she believes the product 'Natural Beauty' caused damage to her skin, despite the advertised promises.

She consults her friend Shamali a final year LLB student to seek legal advice. Shamali has no clear idea whether the above advertisement is an invitation to treat or an offer.

Based on the above advertisement and scenario answer the following question

a. Explain the difference between an invitation to treat and offer providing examples.

(10 Marks)

b. According to the given scenario, can Vandana take legal action against ABC (Pvt) Ltd? Support your answer with relevant case law.

(15 Marks)

2.a. "The Constitution, which is the supreme law of the country and it has various classifications"

Do you agree with the above statement, and explain your answer with relevant countries which have adopted various types of constitutions?

(10 Marks)

2.b. Select and explain only three of the following concepts in Constitutional Law

1. Rule of Law
2. Separation of Power
3. Contempt of Court
4. Check and Balances

(15 Marks)

3. Advise the following parties regarding the court of law where they should refer their cases. Please note that you should explain the reasons for your advice.

a. Jayantha and Ama married recently, in the meantime, Jayantha found that Ama has an extramarital relationship with another person. Therefore, Jayantha wants to divorce Ama. Advise Jayanth.

b. Sarath is an environmentalist, who deals with environmental protection activities. He got to know that some vulnerable trees in his city were going to be destroyed by the municipal council to build a new flyover. Sarath wants to get an order from the court to challenge the actions of municipal council members and prevent them from starting that project which is harmful to the environment. Advise Sarath.

c. Mahesh and Dilmi had a relationship for 3 years. As a result of the sudden changes in Dilmi's behaviours, Mahesh got angry and stabbed Dilmi. As a result, she was severely injured and admitted to the hospital. Dilmi's parents want to file a case against Mahesh. Advise Dilmi's parents.

(5 x 3 = 15 Marks)

3.d. The Supreme Court has sole exclusive supreme jurisdiction of the country. Explain the scope of the Supreme Court of Sri Lanka and support your answer with five jurisdictional powers which the Supreme Court of Sri Lanka holds.

(10 Marks)

4.a. What are the main purposes of criminal law in the social justice mechanism?

(5 Marks)

4.b. An act or omission constitutes a criminal offence. Describes the two basic elements required to constitute such a crime. Provide your own example which includes those two basic elements.

(10 Marks)

4.c.Explain the concepts of strict liability and vicarious liability.

(10 Marks)

5. Samadi joined a private limited company on 01st April 2015 for a salary of Rs.60,000/-. In her appointment letter, it specifically mentioned that Samadi is entitled to the Employees' Trust Fund and Employees' Provident Fund as an employee of the company. On the 2nd of May 2023, Samadi decided to migrate for permanent residency in another country. Therefore, she submitted her resignation letter to the company.

a. Describe the main objective of the Employees' Trust Fund and Employees' Provident Fund.

(10 Marks)

b. State four types of employees who are not covered under the Employees' Provident Fund Act No. 15 of 1958

(10 Marks)

c. Do you think that Samali is entitled to take her Employees' Provident Fund? Provide the reason for your answer.

(5 Marks)

6.Anushka is a regular customer at a neighbourhood grocery store called "FoodMart." She visits the store every week to purchase household essentials. Anushka noticed that the price of her favourite brand of cooking oil, "PureGold" had increased significantly compared to her last purchase. The marked price for a one-liter bottle of "PureGold" cooking oil was Rs. 450/-. However, Anushka remembered buying the same bottle for Rs. 300/- just seven days ago. Upon further examination, she noticed that a new sticker was pasted on the originally marked price. Anusha found that, Mr. Sharma, the store manager, had changed the price tag of the old stock with a new price tag to gain undue profit. Since Anushka identified those malpractices, Mr. Sharma refused to sell any items to her and asked her to leave the store immediately. Anushka informed Mr Sharma that she would be lodging a complaint with the Consumer Affairs Authority.

a. Explain the five objectives of the Consumer Affairs Authority in Sri Lanka.

(10 Marks)

c.Identify five main rights that Anushka should benefit as a consumer in the given scenario

(15 Marks)

(Total Marks = 100)