THE OPEN UNIVERSITY OF SRI LANKA
MASTER OF TECHNOLOGY IN INDUSTRIAL ENGINEERING PROGRAMM
FINAL EXAMINATION -2008.
LWJ 7101/LWP 2101-THE LAW AND INDUSTRY

023

DURATION – THREE (03) HOURS

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DATE: 02nd May 2008 **TIME:09.30 a.m.-12.30 p.m.**

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Answer FIVE questions only with at least ONE from each section.

SECTION –A

01. Discuss the scope and application of the Personal laws and the General law of Sri Lanka.

02. 'The term 'sources' refers to the different legal traditions or systems from which the law of a country is derived.'

Explain at least three of recognized sources of law in Sri Lanka.

SECTION -B

03. Consider the legal positions of the following situation;

(a) Amal ordered some machinery from Bala. Before Bala had taken any action on the order he received a letter from Amal canceling the order. Bala refused to recognize the cancellation.

(b) Viveka, a minor agreed to purchase 10 party frocks from House of fashion even though she was given all necessities by her parents. However now she refuses to pay the price for the goods.

04. Write notes on any **two** of the followings;

(a) Offer and invitation to treat.

(b) Consideration and Causa.

(c) Discharge of contract.

(d) Terms of Contract.

SECTION -C

05. Nathan went to a hardware shop belonging to Nishantha and purchased a can of paint. His son Loga, a twenty year old boy used the paint and fell ill because of a toxic substance in the paint.

Discuss the delictual liability on the retailer (Nathan) or the manufacturer that can be imposed by Loga.

06. 'The Rule in Rylands v. Fletcher is recognized in English law as creating a special type of strict liability or liability without fault.'

What do you mean by the Rule in Ryland v. Fletcher? And briefly explain the defenses to the rule.

SECTION -D

07. Discuss the role of the Labour tribunals in relations to workman's application based on Industrial Disputes Act.

08. Chandene a factory worker on an estate used to go to his superintendent's bungalow to sleep after finishing his work in the estate. He also looked after the Superintendent's poultry. One day when he was closing the fowl cage he was bitten by a snake and he died.

Discuss whether any compensation can be claimed on behalf of Chandene's death under the workmen's compensation ordinance? Would your answer differ if the incident took place in working hours at the factory?

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