



**Institute of Human Resource Advancement (IHRA)  
University of Colombo, Sri Lanka**

**Bachelor of Labour Management**

**First Year - 1st Semester Examination  
English Medium  
(Held on, September, October 2021)**

**BLM 1131 – Legal Environment**

***Online Examination***

**Instructions to the Candidates**

- (1) This paper consists of six (06) questions and three (03) pages.
- (2) Answer any four (04) questions.  
  
\* Your answer should make necessary reference to Statutory Provisions and Decided Case Law.
- (3) Time allocated for the examination is two (02) hours.
- (4) Write your Index Number on all pages of answer scripts.
- (5) Scan all answer sheets into a one PDF file and submit into the submit box.
- (6) If a page or a part of this question paper is not printed, please inform the Supervisor immediately.

### **1) Question**

” Derived from so many different systems-Roman, English, Sinhalese, Hindu and Muslim-the law of Ceylon is embarrassed rather by the richness of its sources than by the lack of them.”

Sir Ivor Jennings and H.W. Tambiah, The dominion of Ceylon: the development of its laws and Constitution (Stevens 1952) P. 184

Do you agree with the above statement? Elaborate your answers with appropriate statutory provisions and case law.

**(25 Marks)**

### **2) Question**

A) Briefly describe the classical sources of Roman Dutch Law.

**(10 Marks)**

B) Explain the applicability of Batavian Statutes as a source of Roman Dutch Law in Sri Lanka.

**(15 Marks)**

**(Total Marks 25)**

### **3) Question**

’Judicial activism played a significant role in the introduction of English Law to Ceylon. However, some of the justifications that were used for its inclusion were arbitrary’.

Assess the correctness of the above statement with decided case law

**(25 Marks)**

#### **4) Question**

**Answer Either A or B**

**A)**” The Muslim Law applied in Sri Lanka contains usages and customs peculiar to local Muslims and which do not form a part of the Islamic system of jurisprudence.”

L. J. M. Cooray, An Introduction to the Legal System of Sri Lanka (Stamford Lake 1972) P. 135

Do you agree with the above statement? Substantiate your answer with decided case law.

**(25 Marks)**

**OR**

**B)** “Thesawalamai law applies on both personal and territorial basis.”

Do you agree with the above statement? Substantiate your answer with decided case law.

**(25 Marks)**

#### **5) Question**

The decision in Williams v Robertson (1886) 8 SCC 36 changed the whole trajectory of Kandyan Law. However, there are many arguments, which can be alluded to refute the reasoning of the Supreme Court in the said decision.

Critically discuss as to what arguments could be brought forward to refute the decision of the Supreme Court in the said case.

**(25 Marks)**

**6) Question**

A) Briefly discuss the requirements that must be proved in order to establish a custom as a source of law

**(12.5 Marks)**

B) Briefly define the doctrine of stare decisis

**(12.5 Marks)**

**(Total Marks 25)**

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