

## **EXAMPLE ON HOW TO ANSWER CASE STUDY?**

### **Sample case :**

*Farid was a director of Lotos Mall. He instructed his manager to sell some items at the higher price than they advertised. Thus, the company had been sued for misdescription offences. Farid has been blamed for the offence. However, Farid claimed that the company that was to be blame for the offence, not him. Was the offence committed by Lotos Mall or by Farid?*

#### **1. Issue :**

- a. Whether the company can be blamed solely for the offences or not
- b. Whether farid can be held responsible for that offences of misdescription of price or the Lotos Mall?

**2. Formulation :** In Farid situation, Farid should be held responsible for the offence. It is because he had given instruction his manager to sell some of the items at a higher price. When a company commit wrong action, the company cannot think or act by himself to commit such wrong action. Thus we have to look behind the veil of the company to determine the person who shall be responsible for the wrong doing.

#### **3. Legal Principle and supporting case :**

**Section 20 CA** provides that a company incorporated under this Act is a body corporate and shall :

- (a) have legal personality separate from that of its members; and
- (b) continue in existence until it is removed from the register.

Further, **Section 21** states that the companies will have unlimited capacity and will be capable of exercising all the functions of a body corporate and have the full capacity to carry on or undertake any business or activity including:

- (a) to sue and be sued;
- (b) to acquire, own, hold, develop or dispose of any property;
- (c) to do any act which it may do or to enter into transactions.

A company shall have the full rights, powers and privileges for the above purposes.

Supporting case :

In the case of **SALOMON v SALOMON & CO. LTD**

Salomon, a sole trader as a leather and boot merchant sold his business to Salomon & Co. Ltd, a company he formed with his wife and children. Payment for the purchase was partially effected debentures issued by the company to Salomon. The company later went into liquidation and its assets were not enough to satisfy its creditors. Mr. Salomon however claim priority over the other debtors as he was a secured creditor.

Held: Mr. Salomon the creditor is a person separate and distinct from Salomon & Co. Ltd even though Mr. Salomon was the majority shareholder of the company.

**LEE v. LEE'S AIR FARMING (1961) AC 12**

# Answers To Case Study In Pearson

**Lingsheng Yao**



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**Encyclopedia of Case Study Research** Albert J. Mills,Gabrielle Durepos,Elden Wiebe,2009-10-21 Case study research has a long history within the natural sciences social sciences and humanities dating back to the early 1920 s At first it was a useful way for researchers to make valid inferences from events outside the laboratory in ways consistent with the rigorous practices of investigation inside the lab Over time case study approaches garnered interest in multiple disciplines as scholars studied phenomena in context Despite widespread use case study research has received little attention among the literature on research strategies The Encyclopedia of Case Study Research provides a compendium on the important methodological issues in conducting case study research and explores both the strengths and weaknesses of different paradigmatic approaches These two volumes focus on the distinctive characteristics of case study research and its place within and alongside other research methodologies Key Features Presents a definition of case study research that can be used in different fields of study Describes case study as a research strategy rather than as a single tool for decision making and inquiry Guides rather than dictates readers understanding and applications of case study research Includes a critical summary in each entry which raises additional matters for reflection Makes case study relevant to researchers at various stages of their careers across philosophic divides and throughout diverse disciplines Key Themes Academic Disciplines Case Study Research Design Conceptual Issues Data Analysis Data Collection Methodological Approaches Theoretical Traditions Theory Development and Contributions From Case Study Research Types of Case Study Research

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