



RIGHTS AND REMEDIES OF EMPLOYEES
PERTAINING TO INJURIES SUFFERED DURING
THE COURSE OF EMPLOYMENT: AN ANALYSIS
OF THE LAWS

BY

ROOSHIDA MERICAN BINTI ABDUL RAHIM
MERICAN

A thesis submitted in fulfilment of the requirement for
the degree of Doctor of Philosophy

Ahmad Ibrahim Kulliyah of Laws
International Islamic University
Malaysia

JULY 2007

ABSTRACT

The thesis examines the relevant provisions governing the rights and remedies of employees relating to injuries suffered during the course of their employment. It is apparent that accidents that are work related will happen from time to time and this will entitle the injured employee to the rights and remedies available. The present laws in Malaysia are adequate in providing protection to the employees but some reviewing, revising and enforcement in the applicability of the regulations need to be done. Currently, it is obvious that the accident rate is distressing and inadequate, and therefore, there is an urgent need for the present provisions to be reviewed and revised. The study adopts an analysis of the statutory provisions governing the rights and remedies of employees pertaining to injuries suffered during the course of their employment and aims at identifying the strengths and weaknesses of the present law. Apart from that, the role of Social Security Organisation (SOCSO) in dealing with awarding compensations and benefits to the injured employee, and compensations under the *Workmen's Compensation Act 1952* were perused. This in-depth study of the law has revealed certain shortcomings in applying the law into practice. Decided cases have proven to be significant in demonstrating the practical application of the legal provisions. A comparative study with other jurisdictions has significantly contributed to this research. In the case of Islamic law, only some specific discussions in identifying the basic law governing the problems have been made. The study has found some weaknesses of the existing provisions and the scope for further developments and improvements of the present laws with severe punishment being carried out. Accidents need to be avoided and once the workplace is safe, less accident and less injury will happen. At the same time, SOCSO should continue to provide better quality and friendlier services in order to develop Malaysia as a caring society. Therefore, the study suggests the existing provisions to be reviewed and revised periodically. One suggestion is that all accident victims should be given maximum benefits and full compensations in the shortest time possible.

ملخص البحث

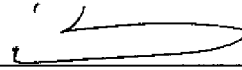
هذه الرسالة تبحث عن النصوص أو المواد القانونية المتعلقة بالحقوق والضمانات المكفولة للعمال الذين يتعرضون للإصابات التي تحصل أثناء القيام بالأعمال. إن الحوادث تقع من آن لآخر وهذه الحوادث توهم العمال المصابين بأن يقوموا بمطالبة هذه الحقوق والضمانات القانونية. والقوانين الحاضرة المتعلقة بهذا الأمر في ماليزيا كافية ومكتملة وشاملة في إعداد الحماية للعمال، ولكن لا بد من إجراء الدراسات والمراجعات وإعادة النظر في تطبيقات هذه القوانين. وذلك بالإضافة إلى أن معدل الوقوع لمثل هذه الحوادث في ازدياد مستمر، وهذا شيء مقلق للغاية، ولهذا فإن الحاجة مآسة في إعادة النظر في هذه النصوص أو المواد القانونية. وتقوم هذه الدراسة بتحليل هذه النصوص أو المواد القانونية المتعلقة بالحقوق والضمانات للعمال الذين يتعرضون للإصابات والجروح أثناء القيام بالأعمال، كما تهدف هذه الدراسة كذلك إلى التعرف على إيجابيات هذه النصوص أو المواد القانونية المقررة حاليا وسلياقها. بالإضافة إلى ذلك، فإن الدراسة تنصب كذلك على الدور الذي تلعبه منظمة الأمن الاجتماعي في التعامل مع منح التعويضات والفوائد الأخرى للعامل المصاب، وكذلك تتوجه الدراسة بتحليل التعويضات المقررة بموجب قانون التعويضات للعمال 1952. وتكشف الدراسة العميقة لهذه النصوص أو المواد عن وجود بعض النواقص عند التطبيق العملي لها. وتكون بعض القضايا التي تم حلها برهانا واضحا على التطبيق العملي لهذه النصوص أو المواد القانونية. وتساهم بعض الدراسات المقارنة للنصوص أو المواد القانونية الأخرى في هذه الدراسة بشكل أو بآخر. وتراجع هذه الدراسة كذلك إلى بعض المناقشات التي تدور حول التعرف على القوانين الأساسية المتعلقة بهذه القضية في الشريعة الإسلامية. تتوصل هذه الدراسة إلى أنه توجد بعض النواقص في النصوص أو المواد القانونية الموجودة حاليا، كما تقدم هذه الدراسة كذلك اقتراحا بتحسينها وإصلاحها مع إعداد عقوبة قاسية في حالة خرقها. والحوادث لا بد من تفاديها، ومتى تكون أماكن العمل آمنة، تقل الحوادث وبالتالي الإصابات والجروح. وفي الوقت نفسه، فإن على منظمة الأمن الاجتماعي أن تواصل سعيها الخيث في رفع جودة الخدمات التي تقدمها، تمشيا مع الخطوات المقررة في جعل ماليزيا دولة متقدمة متطورة يعيش رعاياها في محبة ومودة. ولذلك فإن هذه الدراسة تقدم اقتراحا بأن يتم إعادة النظر إلى هذه النصوص والمواد القانونية المتعلقة بهذا الأمر من آن لآخر. هناك اقتراح بأن يمنح جميع ضحايا الحوادث المنافع الكاملة والتعويضات الشاملة في أقل مدة ممكنة.

APPROVAL PAGE

The thesis of Rooshida Merican binti Abdul Rahim Merican has been approved by the following:



Nik Ahmad Kamal bin Nik Mahmud
Supervisor



Najibah binti Mohd. Zain
Supervisor

Mohd Altaf Hussain Ahangar
Internal Examiner

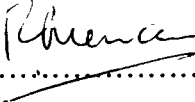
Maimunah Aminuddin
External Examiner

Wan Rafaei Abdul Rahman
Chairman

DECLARATION

I hereby declare that this dissertation is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

Rooshida Merican binti Abdul Rahim Merican

Signature.....

Date.....5.7.2007

INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

**DECLARATION OF COPYRIGHT AND
AFFIRMATION OF FAIR USE OF UNPUBLISHED
RESEARCH**

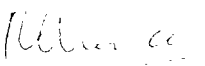
Copyright© 2006 by Rooshida Merican binti Abdul Rahim Merican. All rights reserved.

**RIGHTS AND REMEDIES OF EMPLOYEES PERTAINING TO
INJURIES SUFFERED DURING THE COURSE OF EMPLOYMENT**

No part of this unpublished research may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without prior written permission of the copyright holder except as provided below.

1. Any material contained in or derived from this unpublished research may only be used by others in their writing with due acknowledgement.
2. IIUM or its library will have the right to make and transmit copies (print or electronic) for institutional and academic purposes.
3. The IIUM library will have the right to make, store in a retrieval system and supply copies of this unpublished research if requested by other universities and research libraries.

Affirmed by Rooshida Merican binti Abdul Rahim Merican.


.....
Signature

5 7 2017
.....
Date

To my husband, Wan Manshol bin W. Zin and four children,
Wan Nur Saaraa
Wan Nur Sabrina
Wan Nur Syaza and
Wan Muhamad Syahmi.

ACKNOWLEDGEMENTS

In the name of Allah (s.w.t.), the Compassionate, the Merciful. Alhamdulillah with His blessings, strength and patience that he has given me, I am able to complete this thesis.

My sincere appreciation to my supervisors, Associate Professor Dr. Nik Ahmad Kamal bin Nik Mahmud and Associate Professor Dr. Najibah bt. Mohd. Zain for their comments and advice in preparing this work. I also wish to express my gratitude to Professor Dr. Mohd Altaf Hussain Ahangar for his guidance and continuous encouragement which has led to the successful completion of this thesis.

My appreciation extends also to Puan Azlaily bt. Abdul Rahman, Mr. Christopher, Encik Johari b. Tarmuji, Encik Abdu Salam b. Husin, Puan Faridah bt. Zainal, Encik Ahmad Fuad Mansor, Puan Rafidah bt. Abdul Rahim and others from the Social Security Organisation (SOCSO) for their kindness in sharing their knowledge and expertise in the preparing this work. Many thanks are also due to Tuan Syed Shahir b. Syed Mohamad, Ms Prema Arasan, Ms Dewi and others from the Malaysian Trades Union Congress; and also Puan Hoorhaslina bt. Tuseran and Wan Arnidawati bt. Wan Abdullah both from the Labour Department, Ministry of Human Resources for contributing documents relevant to this work.

I would like to thank Associate Professor Dr. Abdul Basir Mohamad from the Islamic Faculty, University Kebangsaan Malaysia for his invaluable suggestions and for providing valuable documents at the early stage of the study. My heartfelt thanks are also due to Associate Professor Dr. Abdul Halim Muhammad from the Faculty of Law also in the University Kebangsaan Malaysia for his ideas especially in relations to the Islamic law.

I am also deeply grateful to the University Kebangsaan Malaysia for providing this opportunity to further my studies and the scholarship. Special thanks also to the Faculty of Law and to all my colleagues for their supports, encouragement and ideas, which contributed significantly to the completion of this thesis. My thanks also go to the librarians of the Main Library and the Law Library of the University Kebangsaan Malaysia, and the International Islamic University for helping me in my work. I also thank Encik Mohamad Rizal Abdul Rahman for his kindness and assistance in formatting the technicality of this work especially at the final stage of the study, and Puan Noraini Ibrahim for her ideas and dedication in editing.

I am also indebted to my husband Wan Manshol bin W. Zin, without his support, understanding, patience and encouragement, this would not have been possible. Also to my children Saaraa, Sabrina, Syaza and Syahmi for giving me their full love, helping hand and bearing with me patiently throughout my work.

TABLE OF CONTENTS

Abstract	ii
Abstract in Arabic	iii
Approval Page	iv
Declaration Page	v
Copyright Page	vi
Dedication	vii
Acknowledgements	viii
List of Tables	xiii
List of Statutes	xiv
List of Cases	xvi
List of Abbreviations	xxiv
CHAPTER 1 : INTRODUCTION	1
1.0 Background of the Study	1
1.1 The Objectives of the Study	11
1.2 Statement of Problem	12
1.3 Research Questions	13
1.4 Research Methodology	13
1.5 Literature Review	15
1.6 Chapterization	25
1.7 Scope and Limitations	27
1.8 Expected Findings	28
CHAPTER 2 : EMPLOYER, EMPLOYEE AND THE COURSE OF EMPLOYMENT	30
2.0 Introduction	30
2.1 The Relationship between Employer and Employee at Common Law	30
2.1.1 The Employer	31
2.1.2 The Employee	32
2.1.3 The Significance of Defining the Relationship	33
2.1.4 Tests Determining Employee	34
2.1.4.1 The Control Test	35
2.1.4.2 The Organisation or Intergration Test	40
2.1.4.3 Other Alternative Tests	43
2.2 The Statutory Definition	46
2.2.1 The Contract	47
2.2.2 Employee/Workman	51
2.2.3 Employer	54
2.2.4 Contract of Service and Contract for Service	57
2.3 Course of Employment	58
2.3.1 The Scope of Vicarious Liability	59
2.3.2 Salmond's Formula	60
2.3.3 New Approach to Vicarious Liability	62

2.4	Arising out of and in the Course of Employment	73
2.5	Conclusion	88
CHAPTER 3 : THE LEGAL PROVISIONS ON THE DUTIES OF THE EMPLOYER AND THE EMPLOYEE		90
3.0	Introduction	90
3.1	The Contract of Employment	91
3.1.1	Express Terms of the Contract	92
3.1.2	Implied Obligations of the Contract	94
3.2	The Employer's General Duty	97
3.2.1	Common Law Duties of Employers to Employees	98
3.2.1.1	The Employer's Obligation to	100
3.2.1.2	Reasonable Care	102
3.2.1.3	Duty to Provide Adequate Material.....	105
3.2.1.4	Duty to provide a Safe System of Work.....	110
3.2.2	The General Principles of Negligence as Applied to Injuries at Work	122
3.2.3	Employer's Statutory Duties	131
3.3	The Duty owed by the Employees	139
3.3.1	Employee's Common Law Duties	140
3.3.2	Duty of Skill and Care	144
3.3.3	Statutory Duties of the Employees	146
3.4	Conclusion	148
CHAPTER 4 : INJURIES AT THE WORKPLACE.....		150
4.0	Introduction.....	150
4.1	Scope of Accident in the Workplace from Common Law Perspective	151
4.2	Accident from Malaysian Perspective	154
4.3	Scope of Accident under Malaysian Legislation	156
4.4	On-the-job Injuries	161
4.5	Diseases	164
4.6	Travelling.....	169
4.7	Notification and Investigation	178
4.8	Conclusion	184
CHAPTER 5 : COMPENSATION TO WORKMEN FOR WORK-RELATED INJURY		185
5.0	Introduction.....	185
5.1	Foreign Workers in Malaysia.....	186
5.2	Compensation.....	190
5.2.1	Compensation for Occupational Diseases	191
5.2.2	Total or Partial Disablement	193
5.2.3	Procedure for Payment of Compensation in case of death	196
5.2.4	Employer's Liability to Compensate	197
5.2.5	Time Limit	200
5.2.6	Workmen's Compensation Act 1952 and Common Law	203
5.2.7	Persons Entitled to Receive Compensation	218
5.3	Medical Examination and Treatment	220

5.4	Power of the Commissioner and Arbitrator	222
5.5	Workmen's Compensation Insurance	226
5.6	Process of Claiming Workmen's Compensation	230
5.7	Conclusion	232
CHAPTER 6 : RIGHTS AND REMEDIES FOR EMPLOYEES		
	UNDER SOCSO.....	234
6.0	Introduction.....	234
6.1	The General Principles of Employees' Social Security	236
6.2	Schemes under the Social Security Organisation	244
	6.2.1 Employment Injury Insurance Scheme	245
	6.2.2 Invalidity Pension Scheme	246
6.3	Benefits under Insurance Scheme	248
	6.3.1 Constant-attendance Allowance	251
	6.3.2 Rehabilitation Benefit	253
	6.3.3 Temporary Disablement Benefit	258
	6.3.4 Permanent Disablement Benefit	260
	6.3.5 Medical Benefit	263
	6.3.6 Invalidity Pension and Grant	267
6.4	Benefits in Practice: A Survey	270
6.5	Adjudication of Disputes and Claims	276
6.6	Limitations	278
6.7	Conclusion	282
CHAPTER 7 : BASIC PRINCIPLES OF WORKERS' COMPENSATION		
	IN AUSTRALIA AND NEW ZEALAND.....	284
7.0	Introduction.....	284
7.1	Background	285
7.2	Workers' Compensation in Australia	285
	7.2.1 How Employers are Benefited.....	288
	7.2.2 New Legislation in New South Wales: Brief Information	292
7.3	Accident Compensation in New Zealand	293
	7.3.1 No-fault Scheme	293
	7.3.2 Changes and Review	296
	7.3.3 Current Legislation and Regulations	298
7.4	Similarities and Differences between Malaysian, Australian and New Zealand Compensation Schemes	300
7.5	Conclusion	302
CHAPTER 8 : ISLAMIC LAW AND EMPLOYMENT		303
8.0	Introduction.....	303
8.1	General Principle of Liability	304
8.2	Work Culture	305
	8.2.1 Duties of Employer	307
	8.2.2 Duties of Employees	308
8.3	Liability for Injuries	310
8.4	Liability for Negligence	312
8.5	Remedies of Employees	313
8.6	Application of Islamic Principle	316

8.7 Retaliation for Injuries	318
8.8 Application of <i>Ta'zir</i>	322
8.9 Compensation	325
8.10 Conclusion	328
CHAPTER 9: CONCLUSION AND RECOMMENDATIONS	329
9.0 Adequacy of the Legal Provisions	330
9.1 Proposal.....	330
BIBLIOGRAPHY.....	336

LIST OF TABLES

<u>Table No.</u>		<u>Page No.</u>
1.1	Statistics of Foreign Workers	5
4.1	Frequency of Reported Accidents, 2000 - 2004	182
5.1	Statistics on Migrant Workers by Country of Origin	188
5.2	Statistics on Migrant Workers by Sectors	189
6.1	Registration of Employers and Employees, 2000 – 2004	240
6.2	Aggregate Amount Contributed by Employer and Employee	241
6.3	Enforcement Activities	243
6.4	The Insurance Schemes' Benefits	249
6.5	Type of Medical Rehabilitation, 2002 – 2004	255
6.6	Settled Cases of Permanent Disablement	262
6.7	Medical Benefit Recipients	264
6.8	Place of Accident	273
6.9	Payment to Respondents	274

LIST OF STATUTES

Accident Compensation Act 1972 (New Zealand)
Accident Compensation Act 1982 (New Zealand)
Accident Insurance Act 1998 (New Zealand)
Accident Insurance Amendment Act 2000 (New Zealand)
Accident Insurance (Transitional Provisions) Act 2000 (New Zealand)
Accidental Rehabilitation and Compensation Insurance Act 1992 (New Zealand)
Accidental Rehabilitation and Compensation Insurance Amendment Act 1995 (New Zealand)
Children and Young Persons (Employment) Act 1966 (Act 40)
Coal Mines Act 1911 (U.K.)
Criminal Laws (Amendment) Ordinance 1991
Criminal Procedure Code
Employees Provident Fund Act 1991 (Act 452)
Employees' Social Security Act 1969 (Act 4)
Employees' Social Security (Amendment) Act 1997 (Act A981)
Employees' Social Security (Maximum Monthly amount of Constant-Attendance Allowance) Regulations 1992
Employees' Social Security (Minimum Daily Rate of Benefit) Regulations 1999
Employees' Social Security (General) Regulations 1971
Employees' Social Security (Social Security Appellate Board Procedure) Regulations 1976
Employers' Liability (Compulsory Insurance) Act 1969 (U.K.)
Employers' Liability (Defective Equipment) Act 1969 (U.K.)
Employment Act 1955 (Act 265)
Employment (Restriction) Act 1968 (Act 353)
Factories Act 1961 (Britain)
Factories and Machinery Act 1967 (Act 139)
Factories and Machinery (Safety, Health and Welfare) Regulations 1970
Factories Ordinance 1958
Fatal Accidents Act 1846
Federal Constitution
F.M. Ordinance No. 85 of 1952
F.M.S. Cap 45
F.M.S. Cap 119, 1955 Ed.
F.M.S. Cap. 155
Industrial Relations Act 1967 (Act 177)
Injury Prevention, Rehabilitation and Compensation Act 2001 (New Zealand)
Insurance Act 1963
Johore Enactment No. 134
Kedah Enactment No. 1 of 1953
Kelantan Enactment No. 43 of 1939
Kuwait Law No. 6 of 1961
Machinery Enactment 1932
Machinery Ordinance 1913

Machinery Ordinance 1953
 Machinery (Safety, Health and Welfare) Regulations 1956
 Merchant Shipping Ordinance 1954
 Merchant Shipping Ordinance 1960
 M.U. No. 23 of 1947
 Occupational Safety and Health Act 1994 (Act 514)
 Occupational Safety and Health (Control of Industrial Major Accident Hazards) Regulations 1996
 Occupational Safety and Health (Safety and Health Committee) Regulations 1996
 Occupational Safety and Health (Safety and Health Officer) Regulations 1997
 Ottoman Code of Penal Procedure 1879
 Ottoman Law 1911
 Pakistan Penal Code 1860
 Penal Code
 Pension Act 1980 (Act 227)
 Perak Boiler Enactment 1903
 Road Transport Act 1987
 Sabah Ordinance No. 14 of 1955
 Sarawak Cap. 80
 Sarawak Penal Code
 Selangor Boiler Enactment 1892
 S.S. Cap. 70
 Trade Unions Act 1959 (Act 262)
 Trengganu Enactment No. 12 of 1956
 Wages Councils Act 1947 (Act 195)
 WorkCover Administration Act 1989 (New South Wales, Australia)
 Workers Compensation Act 1926 (New South Wales, Australia)
 Workers Compensation Act 1987 (New South Wales, Australia)
 Workers Compensation (Benefits) Amendment Act 1989 (New South Wales, Australia)
 Workers Compensation Legislation Amendment Act 2003 (New South Wales, Australia)
 Workmen's Compensation Act 1925 (U.K.)
 Workmen's Compensation Act 1952 (Act 273)
 Workmen's Compensation Act 1985 (Singapore)
 Workmen's Compensation (Amendment) Act 1996 (Act A947)
 Workmen's Compensation Enactment
 Workmen's Compensation Ordinance 1952
 Workmen's Compensation (Foreign Worker's Compensation Scheme) (Insurance) Order 1996 (P.U. (A) 518/96)
 Workmen's Compensation (Foreign Worker's Compensation Scheme) (Insurance) Order 1998 (P.U. (A) 67/98)
 Workmen's Compensation (Foreign Workers' Compensation Scheme) (Insurance) Order 2005 (P.U. (A) 45/2005)
 Workmen's Compensation (Insurance) Order 1959
 Workmen's Compensation Regulations 1953 (P.U. (A) 329/1983)
 Workplace Injury Management and Workers Compensation Act 1998 (New South Wales, Australia)

LIST OF CASES

- Abdul Ghani bin Hamid v. Abdul Nasir bin Abdul Jabbar & Anor. [1995] 4 M.L.J. 182
- Abdul Rahim bin Mohammad v. Kejuruteraan Besi dan Pembinaan Zaman Kini [1998] 4 M.L.J. 323
- Abdul Samad v. Gammon & Christiani-Nielsen [1962] M.L.J. 394
- Aik Bee Sawmill Ltd. v. Mun Kum Chow [1971] 1 M.L.J. 81
- Aktieselskabet Frank v. Namaqua Copper Co. Ltd. 90 L.J.K.B. 504
- Anns v. London Borough of Merton [1978] A.C. 728
- American International Assurance Co. Ltd. v. Dato' Lam Peng Chong & Ors. [1999] 2 C.L.J. 771
- Amran bin Ahmad v. Director General, Social Security Organisation Application No. SS 59 of 1996
- Argent v. Minister of Social Security [1968] 1 W.L.R. 1749
- Azimah bte. Ismail & Ors. v. Chang Ng Pang & Ors. [1985] 2 M.L.J. 152
- Baker v. T.E. Hopkins & Son Ltd. [1959] 1 W.L.R. 966
- Bank Voor Handel En Scheepvaart N.V. v. Slatford [1953] 1 Q.B. 248
- Barcock v. Brighton Corporation [1949] 1 K.B. 339, [1949] 1 All E.R. 251
- Barkeary v. Chugg 84 L.J.K.B. 504
- Bartels v. Birmingham (1947) 332 U.S. 126
- Bata Shoe Co. (Malaya) Ltd. v. Employees Provident Fund Board [1967] 1 M.L.J. 120
- Bazley v. Curry [1999] 174 DLR (4th) 45
- Bean v. Thian Soo [1928-41] S.L.R. 5
- Bett v. Dalmeny Oil Co. (1905) 7F (Ct. of Sess.) 787
- Blee v. London & North Eastern Railway Co. [1937] 4 All E.R. 270
- Blyth v. Birmingham Waterworks Co. (1856) 11 Exch. 781
- Bohjaraj a/l Kasinathan v. Nagarajan a/l Verappan & Anor. [2001] 6 M.L.J. 497
- Bolam v. Friern Hospital Management Committee [1957] 2 All E.R. 118
- Bourhill v. Young [1943] A.C. 92
- Boyle v. Wright [1969] W.L.R. 699
- Bradford v. Robinson Rentals Ltd. [1967] 1 All E.R. 267
- Brintons Ltd. v. Turvey [1905] A.C. 230
- Bunce v. Postworth Ltd. t/a Skyblue [2005] I.R.L.R. 557
- Butler (Black) v. Fife Coal Co. Ltd. [1912] A.C. 149
- Bux v. Slough Metals Ltd. [1974] 1 All E.R. 262
- Canadian Pacific Railway v. Lockhart [1942] A.C. 591
- Caparo Industries plc. v. Dickman & Ors. [1990] 1 All E.R. 568, [1990] 2 W.L.R. 358
- Cassidy v. Minister of Health [1951] 2 K.B. 343
- Caswell v. Powell Duffryn Associated Collieries Ltd. [1939] 3 All E.R. 722
- Cattermole v. Atlantic Transport Co. [1902] 1 K.B. 204
- Chai Koi v. Wong Yit Chen & Anor. [1964] 1 M.L.J. 441
- Challis v. London and South Western Railway Company [1905] 2 K.B. 154
- Chang Fah Lin v. United Engineers (M) Sdn. Bhd. [1978] 2 M.L.J. 260
- Charlton v. Forrest Printing Ink Co. Ltd. [1980] I.R.L.R. 331

Cheng Siak Hor T/A United Penang Trading & Transport Agency & Anor v. Rozali bin Ahmad [2002] 7 M.L.J. 275
 Che Noh bin Yaacob v. Syarikat Kilang Getah Seng Hin [1980] 2 M.L.J. 264
 Chipchase v. British Titan Products Co. Ltd. [1956] 1 Q.B. 545
 Chong Kim Sang v. Metatrade Sdn. Bhd. [2004] 2 C.L.J. 439
 Chozi v. Chitrasenan [1964] M.L.J. 367
 Chye Hin Co. (Perak) Ltd. v. Public Prosecutor (1960) 1 M.L.J. 137
 Cik Aniza Yaacob & Ors. v. Mostek Malaysia Sdn. Bhd. & Ors. [1988] 1 M.L.J. 451
 Cilia v. H.M. James & Sons [1954] 2 All E.R. 9, [1954] 1 W.L.R. 721
 Clifford v. Charles H. Challen & Sons Ltd. [1951] 1 K.B. 495 [1951] 1 All E.R. 72
 Clover Clayton & Co. Ltd. v. Hughes [1910] A.C. 242
 Coddington v. International Harvester Co. of Great Britain Ltd. [1969] 6 K.I.R. 146
 Cole v. De Trafford [1918-19] All E.R. Rep. 290
 Commissioner for Labour for and on behalf of Tay Choon Keong v. Chop Choong Joo (1953) 19 M.L.J. 76
 Connor v. Halfords Ltd. [1972] I.R.L.R. 109
 Cresswell v. Board of Inland Revenue [1984] I.R.L.R. 190
 Davidson v. Handley Page Ltd. [1945] 1 All E.R. 235
 Davie v. New Merton Board Mills Ltd. [1959] 1 All E.R. 346, [1959] A.C. 604
 Deputy Commissioner of Labour, Perak, for and on behalf of the dependants of Yahya bin Mat (Deceased) v. The Sitiawan Transport Co Ltd. (1951) 17 M.L.J. 59
 Dr. Abdul Hamid Abdul Rashid & Anor. v. Jurusan Malaysia Consultants & Ors. [1997] 3 M.L.J. 546, [1997] 1 A.M.R. 637
 Dr. A. Dutt v. Assunta Hospital [1981] 1 M.L.J. 304, [1981] 1 L.N.S 5
 Donoghue v. Stevenson [1932] A.C. 562, [1932] All E.R. Rep. 1
 Donovan v. Invicta Airways Ltd. [1970] 1 Lloyd's Rep. 486
 Doughty v. Turner Manufacturing Co. Ltd. [1964] 2 W.L.R. 240
 Dubois v. Secretary of Defense (1998) No. 97-2074, United States Court of Appeals for the Fourth Circuit
 Dyer and Wife v. Munday and Another [1895] 1 Q.B. 742
 Eastern Mining & Metals Co. Sdn. Bhd. v. Wan Absah Binti Mohamed & Ors. [1974] 2 M.L.J. 210
 EDG v. Hammer [2003] Can. Sup Ct. Lexis 54, [2003] SCC 52
 Elligot v. Nebbett [1948] 1 All E.R. 514
 Employees Provident Fund Board v. MS Ally & Co. Ltd. [1975] 2 M.L.J. 89
 Fanton v. Denville [1932] All E.R. Rep. 360
 Faulkner v. Chief Adjudication Officer (1994) The Times, 8 April
 Fenton v. Thorley & Co. Ltd. [1903] A.C. 443
 Fenwick v. Schmalz L.P. 3 C.P. 313
 Fife Coal Co. v. Young [1940] A.C. 479
 Financial Techniques (Planning Services) Ltd. v. Hughes [1981] I.R.L.R. 32
 Finch v. Telegraph Construction and Maintenance Co. Ltd. [1949] 1 All E.R. 452
 Fitzgerald v. WG Clarke & Son [1908] 2 K.B. 796
 Fook Thain @ Wong Koh Fong v. Ketua Pengarah Pertubuhan Keselamatan Sosial Application No. SS (PP) 92 of 1996
 Franklin v. Gramophone Co. Ltd. [1948] 1 K.B. 542
 Gan Poh v. Union Omnibus Co. Ltd. [1970] 1 M.L.J. 188
 Garrallan Coal Co. Ltd. v. Anderson [1927] A.C. 59
 Geeta v. Hong Kong Teakwood Works (S) Pte. Ltd. [1992] 2 S.L.R. 920

Gelan Anak Paeng v. Lim Phek San & Ors. [1986] 1 M.L.J. 271
 General Cleaning Contractors Ltd. v. Christmas [1953] A.C. 180
 Glasgow Corporation v. Muir [1943] 2 All E.R. 44
 Goh Choon Seng v. Lee Kim Soo [1925] A.C. 550
 Goh Eng Chye v. Amalgamated Lumber Sdn. Bhd. [1982] 2 M.L.J. 180
 Golden Hope Rubber Estate Ltd. v. Kuppusamy [1964] M.L.J. 178
 Golden Hope Rubber Estate Ltd. v. Muniammah & Ors. (1965) 31 M.L.J. 5
 Government of Malaysia v. Jumat bin Mahmud & Ors. [1977] 2 M.L.J. 103
 Hamzah & Ors. v. Wan Hanafi bin Wan Ali [1975] 1 M.L.J. 203
 Harris v. Associated Portland Cement Manufacturers Ltd. [1939] A.C. 71
 Harvey v. R.G. O'Dell Ltd. [1958] 1 All E.R. 657, [1958] 2 Q.B. 78
 Heaven v. Pender (1883) 11 Q.B.D. 503
 Hedley Byrne & Co. v. Heller & Partners Ltd. [1964] A.C. 465
 Hillyer v. The Governors of St. Bartholomew's Hospital [1909] 2 K.B. 820, C.A.
 Hoh Kiang Ngan v. Mahkamah Perusahaan Malaysia & Anor. [1995] 3 M.L.J. 369
 Holmes v. Great Northern Railway Company [1900] 2 Q.B. 409
 Ho Teck Fah v. Looi Wah t/a Looi Construction [1981] 1 M.L.J. 162
 Hotel Jaya Puri Bhd. v. National Union of Hotel, Bar & Restaurant Workers & Anor.
 [1980] 1 M.L.J. 109
 Hu Teck Huat v. Ketua Pengarah Pertubuhan Keselamatan Sosial Application No. SS
 (KS) 137 Tahun 1996
 Hudson v. Ridge Manufacturing Co. Ltd. [1957] 2 Q.B. 348
 Hughes v. Lord Advocate [1963] 1 All E.R. 705
 Hutchison v. Cocksedge & Co. [1952] 1 All E.R. 696
 Inchcape Malaysia Holdings Bhd. v. RB Gray & Anor. [1985] 2 M.L.J. 297
 Iqbal v. London Transport Executive (1973) 16 K.I.R. 39
 In re application of Ramakrishnan Chakara Padayachi [1982] 1 M.L.J. 12
 Insurers' Guarantee Fund N.E.M. General Insurance Association (in liquidation) v.
 GIO General Ltd. (1994) 33 N.S.W.L.R. 247
 Ismay Imrie & Co. v. Williamson [1908] A.C. 437
 Jacobi v. Griffiths [1999] 174 D.L.R. (4th) 71
 James Patrick & Co. Proprietary Ltd. v. Sharpe [1954] 3 All E.R. 216
 Janata Bank v. Ahmed [1981] I.R.L.R. 457
 Jaswant Singh v. Central Electricity Board & Anor. [1967] 1 M.L.J. 272
 John Hancock Life Insurance (Malaysia) Bhd. v. Menteri Sumber Manusia Malaysia
 & Ors. [2004] 3 M.L.J. 227
 Johnstone v. Blomsbury Health Authority [1991] 2 All E.R. 293
 John Summers v. Frost [1955] A.C. 740
 Kahu Illias v. N.V. Vereenigde Nederlandsche Scheepvaartmaatschappij [1967] 27
 M.L.J. 275
 Kee Su Ngoy (f) v. The Bok [1989] 2 C.L.J. 841
 Keppel Bus Co. Ltd. v. Sa'ad bin Ahmad [1947] 1 M.L.J. 191
 Kepong Mines Ltd. & Anor. v. Chee Sing Kau [1969] 1 M.L.J. 75
 Ketua Pengarah Pertubuhan Keselamatan Sosial, Kuala Lumpur v. Philip bin Felix @
 Philip bin Sintik [2004] 5 M.L.J. 251
 Ketua Pengarah Pertubuhan Keselamatan Sosial v. Jusoh bin Abu Bakar [2002] 7
 M.L.J. 17, [2003] 1 C.L.J. 383
 Ketua Pengarah, Pertubuhan Keselamatan Sosial v. Mohd. Zaili bin Ali [2003] 2
 C.L.J. 165, [2004] 1 M.L.J. 283

Ketua Pengarah Pertubuhan Keselamatan Sosial v. Rajaparameswari Marimuthu [2004] 4 C.L.J. 528
 Kian Aik Chan Hup Kee Ltd. v. Anthonysamy & Ors. [1968] 2 M.L.J. 222
 Kilang Gula Felda Perlis Sdn. Bhd. v. Aman Shah bin Abdul Khalid [1998] 5 M.L.J. 700
 Kimpton v. Steel Co. of Wales Ltd. [1960] 2 All E.R. 274
 King v. Smith [1995] I.C.R. 339
 Kirby v. National Coal Board [1958] S.C. 514
 Knowles v. Liverpool City Council [1994] 1 Lloyd's Rep. 11
 'Kohekohe' M.V. 'Kohekohe', Owners of & Ors. Interested v. Supardi bin Sipan [1985] 2 M.L.J. 422
 Kooragang Cement Pty. Ltd. v. Bates (1994) 35 N.S.W.L.R. 452
 KR Taxi Serices Ltd. & Anor. v. Zaharah & Ors. [1969] 1 M.L.J. 49
 Kuala Lumpur Mutual Fund Bhd. v. J. Bastian Leo & Anor. [1988] 2 C.L.J. 175
 Kuppusamy v. Golden Hope Rubber Estate Ltd. [1965] 1 M.L.J. 178
 Latimer v. A.E.C. Ltd. [1953] A.C. 643, [1953] 2 All E.R. 449
 Laurie v. Douglas 15 M. & W. 746
 Lee Cheng v. Lam Wan Thin [1954] M.L.J. 214
 Lee Kim Noh v. Ketua Pengarah SOCSO [1999] 2 I.L.R. liii
 Lee Siew Chun v. Sourgrapes Packaging Products Trading Pte. Ltd. & Ors. [1993] 2 S.L.R. 297
 Lee Yen & Ors. v. Kepong Mines Ltd. [1963] M.L.J. 396
 Lembaga Kemajuan Tanah Persekutuan v. Muda bin Jusoh & Anor. [1991] 1 M.L.J. 34
 Ler Hock Seng & Ors. v. Bethlehem Singapore Pte. Ltd. [1994] 2 S.L.R. 190
 Loang Jee Keng v. Yik Kee Restaurant Sdn. Bhd. [2002] 2 C.L.J. 750
 Lian Ann Lorry Transport & Forwarding Sdn. Bhd. v. Govindasamy [1982] 2 M.L.J. 232.
 Liang Jee Keng v. Yik Kee Restaurant Sdn. Bhd. [2002] 2 C.L.J. 750
 Lind v. Johnson [1937] 4 All E.R. 201
 Lister v. Romford Ice and Cold Storage Co. Ltd. [1957] A.C. 555
 Lister & Others v. Hesley Hall Ltd. [2001] All E.R. 769, [2002] 1 A.C. 215
 Lita Maddox v. The Netherlands Insurance Co. Ltd. [1988] 2 M.L.J. 575
 Lloyd v. Grace, Smith & Co. [1912] A.C. 716
 Loghelly Iron & Coal v. M'Mullan [1934] A.C. 1
 Lotinga v. North Eastern Marine Engineering Co. [1941] 3 All E.R. 1
 Low Swee Fong v. Gammon (Malaya) 1959 Ltd. [1962] M.L.J. 295
 M'Ardle v. Swansea Harbour Trust [1916] 85 L.J.K.B. 733
 MacWilliams v. Sir William Arroll & Co. Ltd. [1962] 1 All E.R. 623, [1962] 1 W.L.R. 295
 Maguire v. P.J. Lagan (Contractors) Ltd. & Another [1976] 1 NIJB 49
 Mak Lai Meng v. Ketua Pengarah Pertubuhan Keselamatan Sosial Application No. SS (PP) 102 of 1996
 Makin v. London & North Eastern Railway [1943] K.B. 467
 Market Investigations Ltd. v. Minister of Social Security [1969] 2 Q.B. 173
 Mat Jusoh bin Daud v. Syarikat Jaya Seberang Takir Sdn. Bhd. [1982] 2 M.L.J. 71
 Mattis v. Pollock (trading as Flamingos Nighclub) [2003] 1 W.L.R. 2158, [2004] 4 All E.R. 85
 McArdle v. Andmac Roofing Co. & Ors. [1967] 1 All E.R. 583

McDermid v. Nash Dredging and Reclamation Co. Ltd. [1986] 2 All E.R. 676
 McFarlane v. Hutton Brothers (Stevedores) Ltd. [1926] All E.R. Rep. 246
 McLoughlin v. O'Brian [1983] 1 A.C. 410
 Mears v. Safecar Security Ltd. [1983] Q.B. 54
 Mersey Docks and Harbour Board v. Coggins & Griffiths (Liverpool) Ltd. and
 McFarlane [1947] A.C. 1
 Mills v. Smith (Sinclair, Third Party) [1964] 1 Q.B. 30
 Mohamed Fami Hassan v. Swissco Pte. Ltd & The Government of The Republic of
 Iraqi (Iraqi State Enterprise for Maritime Transport)- Third Party [1986] 1 M.L.J. 461
 Mohamed Raihan & Anor. v. Government of Malaysia & Ors. [1981] 2 M.L.J. 27
 Mohamed Yeanikutty v. Far East Truck Inc. Manufacturing (Pte.) Ltd. [1986] 2
 M.L.J. 134
 Mohammed Faisal Rahman v. Industrial Gases Ltd. Privy Council Appeal No. 28 of
 1990
 Mohd Alwi bin Md. Zain v. Koo Kim Chat [1990] 1 C.L.J. 522
 Mohd. Nordin bin Othman v. Ketua Pengarah Pertubuhan Keselamatan Sosial
 Application No. SS (PP) 71 of 1997
 Monaghan v. W.H. Rhodes & Son [1920] 1 K.B. 487
 Montreal v. Montreal Locomotive Works Ltd. [1947] 1 D.L.R. 161
 Morren v. Swinton and Pedelbury Borough Council [1965] 1 W.L.R. 576
 Morris v. C.W. Martin & Sons Ltd. [1966] 1 Q.B. 716
 Morris v. Henleys (Folkestone) Ltd. [1973] 2 All E.R. 137, [1973] I.C.R. 482, [1973]
 I.R.L.R. 61
 Murphy v. Brentwood Borough Council [1990] 2 All E.R. 908
 Nancollas v. Insurance Officer [1985] 1 All E.R. 833
 Nani v. Public Utilities Board [1981] 2 M.L.J. 166
 Narayani Amma v. Mohamed Din [1959] M.L.J. 108
 Ng Cheng Ho v. Tan Ek Seng & Anor [1969] 2 M.L.J. 106
 Ng Eu Khoon v. Dr. Gwen Smith & 2 Ors. [1996] 2 A.M.R. 1980
 Ng Kim Cheng v. Naigai Nitto Singapore Pte. Ltd. & Anor [1991] 2 M.L.J. 296
 Nisbet v. Rayne [1910] 2 K.B. 689
 Noble v. Southern Railway Co. [1940] A.C. 583
 Nolan v. Dental Manufacturing Co. Ltd. [1958] 1 W.L.R. 936
 Oberoi Imperial Hotel v. Tan Kiah Eng [1992] 1 C.L.J. 550, [1992] 1 S.L.R. 380
 Oliver v. Nautilus Steam Shipping Co. Ltd. [1903] 2 K.B. 639
 Olsen v. Magnesium Castings & Products Ltd. [1947] All E.R. 333
 Ong Beng How v. Guan Seng Sawmill (Pte.) Ltd. [1979] 1 M.L.J. 8
 Ong Moh Chong v. Hitachi Chemical (S) Pte. Ltd. [1986] 1 M.L.J. 450
 Ottoman Bank v. Chakarian [1930] A.C. 277, 99 L.J.P.C. 97, 142 L.T. 465
 Overseas Tankship (UK) Ltd. V. Morts Dock & Engineering Co., The Wagon Mound
 (No.1) [1961] A.C. 388
 Overseas Tankship (UK) Ltd. v. The Miller Steamship Co. Pty. Ltd., The Wagon
 Mound (No. 2) [1967] A.C. 617
 Palsgraf v. Long Island RR [1928] 162 N.E.99
 Pancini v. Esso International Shipping (Bahamas) Co. Ltd. & Anor. [1991] 3 M.L.J.
 461
 Pape v. Cumbria County Council [1992] 3 All E.R. 211
 Paris v. Stepney Borough Council [1951] A.C. 367, [1951] 1 All E.R. 42
 Park v. Wilsons and Clyde Coal Co. Ltd. [1928] S.C. 121

Parkinson v. Lyle Shipping Co. Ltd. [1964] 2 Lloyd's Rep. 79
 Parno v. SC Marine Pte. Ltd. [1999] 4 S.L.R. 579
 Paterson v. Costain & Press (Overseas) Ltd. [1979] 2 Lloyd's Rep. 204
 Perkins v. Hugh Stevenson and Sons Ltd. [1940] 1 K.B. 56
 Persin Kaur v. The Renong Tin Dredging Co. Ltd. [1967] 2 M.L.J. 286
 Peter Pitchay a/l Susai Pitchay v. Ketua Pengarah Pertubuhan Keselamatan Sosial
 Application No. SS (PP) 113 of 1996
 Photo Production Ltd. v. Securicor Transport Ltd. [1980] A.C. 827
 Potter v. John Welch & Sons Ltd. [1914] 3 K.B. 1020
 Public Prosecutor v. KATS Cleaning Services (S) Sdn. Bhd. [1995] 1 M.L.J. 371
 QBE Insurance (International) Ltd. v. Julaiha Bee Bee & Ors. [1992] 2 S.L.R. 406
 Qualcast (Wolverhampton) Ltd. V. Haynes [1959] A.C. 743, [1959] 2 All E.R. 38
 R. v. Morris [1972] 1 W.L.R. 228
 R. v. Walker (1858) 6 W.R. 505
 Raub Rubber Estates Ltd. v. Controller of Labour [1936] M.L.J. 93
 Rayner v. Mitchell (1877) 2 C.P.D. 357
 Re Application of Leo Boh Boey [1986] 1 M.L.J. 469
 Re Low Liok Deceased [1936] M.L.J. 161
 Re Narasmah Deceased [1940] M.L.J. Rep. 15
 Ready Mixed Concrete (South East) Ltd. v. Minister of Pensions and National
 Insurance [1968] 2 Q.B. 156
 Regina v. National Insurance Commissioner [1977] 1 W.L.R. 109
 Richardson v. Pitt-Stanley & Ors. [1995] 2 W.L.R. 26
 Rose v. Plenty [1976] 1 All E.R. 97
 Roshairree Abd. Wahab v. Mejar Mustafa Omar & Ors. [1996] 3 M.L.J. 337
 Ross v. Associated Portland Cement Manufacturers Ltd. [1964] 1 W.L.R. 768
 Sarojini a/p Rajoo v. Ketua Pengarah, Pertubuhan Keselamatan Sosial Permohonan
 No. SS (KS) 77 Tahun 1995
 Seng Guan Co. v. Lim Choon Keok & Ors. [1973] 2 M.L.J. 197
 Scally v. Southern Health and Social Services Board [1991] I.R.L.R. 522
 Schmidt Scientific Sdn. Bhd. V. Ong Han Suan [1997] 5 M.L.J. 632
 Sharp v. Johnson & Co. Ltd. [1905] 2 K.B. 139
 Short v. J. & W. Henderson Ltd. [1946] 62 T.L.R. 427
 Singapore Bus Service Ltd. v. Lim Swee Pheng & Sons (Pte) Ltd. [1980] 1 M.L.J. 53
 Singapore Transport Supply Services Pte. Ltd. v. Wee Peng Whatt & Ors. and Public
 Crane Co. v. Wee Peng Whatt [1978] 2 M.L.J. 234
 Sim v. Rotherham Council [1987] 1 Ch. 216
 Sim Kim Sam v. Fong Ah Yin [1982] 2 M.L.J. 56
 Simpson v. London, Midland and Scottish Railway Co. [1931] A.C. 351
 Smith v. Charles Baker & Sons [1891] A.C. 325
 Smith v. Crossly Bros. Ltd. [1951] 95 Sol. Jo. 655
 Smith v. National Coal Board [1967] 2 All E.R. 593
 Smith v. Stages [1989] 1 All E.R. 833
 Smith v. Vange Scaffolding and Engineering Co. Ltd. [1970] 1 W.L.R. 733
 Sonona a/p Kalandiasamy v. Ketua Pengarah, Pertubuhan Keselamatan Sosial
 Application No. SS (PP) 26 of 1997
 Speed v. Thomas Swift & Co. [1943] K.B. 557
 South Staffordshire Tramways Co. v. Sickness and Accident Assurance Association
 [1891] 1 Q.B. 402

State of New South Wales v. Lepore, Samin v. State of Queensland, Rich v. State of Queensland [1999] 174 DLR (4th) 71, [2003] HCA 4
 St. Helens Colliery Co. Ltd. v. Hewitson (1924) A.C. 59
 Stevenson, Jordon and Harrison Ltd. v. MacDonald and Evans [1952] 1 T.L.R. 101
 Stewart v. Wilsons and Clyde Coal Co. Ltd. (1902) 5 Fraser 120
 Suffolk Catchment Board v Kent [1941] A.C. 74
 Sungei Salak Rubber Co. Ltd. v. Deputy Commissioner of Labour, Negri Sembilan & Malacca [1948-49] M.L.J. Supp. 153
 Superlux v. Plainsted (1985) The Times December 12
 Tan Choon Seng v. Yang Kam Hah [1970] 1 M.L.J. 175
 Tan Eng Siew & Anor. v. Dr. Jagjit Singh Sidhu & Anor. [2006] 1 M.L.J. 57
 Tan Peng Loh v. Lee Aik Fong & Anor. [1982] 1 M.L.J. 74
 Tan Toi Lan v. Lai Kee Ying [1975] 1 M.L.J. 27
 Tay Cheng Teck v. Tropical Produce Co. Pte. Ltd. [1971] 2 M.L.J. 247
 Taylor v. Rover Car Co. Ltd. [1966] 2 All E.R. 181, [1966] 1 W.L.R. 1491
 Teng Ah Kow & Anor. v. Ho Sek Chiu & Ors [1993] 3 S.L.R. 769
 Teong Wee Meow v. Goh Poh Chan & Ors. [1981] 2 M.L.J. 136
 Thomas v. Pentremawr Colliery Co. Ltd. (1927) 138 L.T. 208
 Thomas Cowan & Co. Ltd. v. Orme [1961] M.L.J. 41
 The Lotus M (No.2) [1998] 2 S.L.R. 1.
 The Wagon Mound (No. 1) [1961] A.C. 388
 Todd and others v. Adam and another [2002] 2 All E.R. (Comm) 97, [2002] 2 Lloyd's Rep. 293
 Trim Joint District School Board of Management v. Kelly [1914] A.C. 667
 Trotman v. North Yorkshire County Council [1999] IRLR 98, [1998] ELR 625
 United Kingdom Atomic Energy Authority v. Claydon [1974] I.C.R. 128, [1974] I.R.L.R. 6, [1974] 16 K.I.R. 94
 United States v. Silk (1946) 331 U.S. 704
 Vacwell Engineering Co. Ltd. v. BDH Chemicals Ltd. [1971] 1 Q.B. 88
 Vaughan v. Ropner & Co. Ltd. [1947] 80 Ll. L. Rep. 119
 Walker v. Northumberland Country Council [1995] 1 All E.R. 737
 Walmsley v. UDEC Refrigeration Ltd. [1972] I.R.L.R. 80
 Wee Peng Whatt v. Singapore Transport Supply Services Pte. Ltd. & Ors. [1978] 1 M.L.J. 192
 Westwood & Anor. v. The Post Office [1973] 3 All E.R. 184
 Whatman v. Pearson (1868) L.R. 3 C.P. 422
 Whittaker v. Minister of Pensions and National Insurance [1967] 1 Q.B. 156
 Wicks v. Charles A. Smethurst Ltd. [1973] I.R.L.R. 327
 Wilson v. Chatterton [1946] 1 K.B. 360
 Wilson & Clyde Coal Co. v. English [1938] A.C. 57
 Wilson v. Tynside Window Cleaning Co. [1958] 2 Q.B. 110
 Wingfield v. Ellerman's Wilson Line [1960] 2 Lloyd's Rep. 16
 Woh Hup (Pte.) Ltd. v. China Insurance Co. Ltd. [1978] 1 M.L.J. 59
 Wong Ah Geok v. Loke Mun Sing & Anor. Suit No. 898 of 1998
 Wong Soon San v. Malayan United Industrial Co. Ltd. [1967] 1 M.L.J. 1
 Woods v. Durable Suites Ltd. [1953] 1 W.L.R. 857
 Woon Tan Kan & 7 Ors. v. Asian Rare Earth Sendirian Berhad [1993] 1 A.M.R. 7
 Yap Puhui Lin v. Director General, Social Security Organisation Application No. SS 8 of 1998

Yewens v. Noakes (1880) 6 Q.B.D. 530

Ying Tai Plastic & Metal Manufacturing (S) Pte. Ltd. v. Zahrin bin Rabu [1984] 1 M.L.J. 104, [1984] 1 C.L.J. 203

Yuen Kun Yeu & Ors. v. Attorney-General of Hong Kong [1987] 2 All E.R. 705

Zakaria bin Che Soh v. Chooi Kum Loong & Anor [1986] 1 M.L.J. 324

LIST OF ABBREVIATIONS

A.C.	Appeal Cases
All E.R.	All England Law Reports
A.M.R.	All Malaysian Reports
Anor.	Another
C.A.	Court of Appeal
Cap.	Chapter
C.L.J.	Current Law Journal
Co.	Company
C.P.	Common Pleas
C.P.D.	Common Pleas Division
Ch.	Chancery Division
Ed./Edn.	Edition / editions
Edit./edits	Editor / editors
E.R.	English Report
ESSA 1969	The Employees' Social Security Act 1969
Exch.	Exchequer
F.C.	Federal Court
F.M.	Federated Malay
FMA 1967	The Factories and Machinery Act 1967
F.M.S.	Federated Malay States
Gen. Edit.	General Editor
H.L.	House of Lords
I.C.R.	Industrial Cases Reports
I.L.R.	Industrial Law Reports
Ins.	Inside
I.R.L.R.	Industrial Relations Law Reports
J.M.C.L.	Journal of Malaysian and Comparative Law
K.B.	King's Bench Division
K.I.R.	Knight's Industrial Reports
Ltd.	Limited
L.J.K.B.	Law Journal Reports, King's Bench
L.J.P.C.	Law Journal Reports, Privy Council
Ll. L. Rep.	Lloyd's Law Reports
Lloyd's Rep.	Lloyd's Reports
L.R.	Law Reports
L.T.	Law Times
Ltd.	Limited
M.L.J.	Malayan Law Journal
M.L.J. Supp.	Malayan Law Journal Supplement
M.T.U.C.	Malaysian Trade Union Congress
M.U.	Malayan Union
N.E.	North Eastern Report
NIOSH	The National Institute of Occupational Safety and Health