

## 1. 15/4/2025 Trustee Amendment

Before The Act

Before these amendments, Section 3 of the Principal Act did not provide a specific definition of "trust" leading to confusion. The term "trust" was broadly defined, encompassing express and/or constructive trusts, often leading to reliance on case law for clarification (*Tan Hwee Leng & Ors v Tan Keng Yong @ Tan Keng Hong & Anor* [2020] MLJU 373). Section 3 is v

## 2. 10/7/2025 - Pleading collateral contract

Pleading collateral contract / liability for inducing breach of contract is **notdependent** on judgment against contract-breaker – *Jaya Sudhir a/l Jayaram v. Dato' Seri Timor Shah Rafiq & Ors* and another appeal [2025] MLRAU 199

**contract is notdependent**

## 3. 12/3/2025 - When Warnings Fail: Industrial Court Sides with Employer in Repeat Misconduct

– Only 1 "v."

***Norizan Bakar v. v. Panzana Enterprise***

### Key Takeaways

1. Zero Tolerance in High-Risk Sectors: Employers in industries handling hazardous goods are legally justified to enforce strict safety protocols and policies.
2. Deterrent Value: Leniency would undermine workplace discipline and set a dangerous precedent.
3. Progressive Discipline Matters: Documented protocols and policies, warnings, counselling, and clear communication of consequences strengthen an employer's case for dismissal.
4. Mitigation vs. Prevention: Personal circumstances (e.g. family emergencies) do not override safety protocols and policies designed to mitigate risks.
5. Judicial Deference to Proportionality: Courts will uphold dismissals if misconduct is severe, repetitive, and poses significant risks, even in the absence of immediate harm.
6. Employee Accountability: Workers in safety-critical roles must prioritize compliance; repeated misconduct undermines employer trust and legal defences.

## 4. 4/10/2024 - Developer who sold stratified properties but remains the registered proprietor is liable for maintenance charges

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