Law & Practice
Critical Analysis and Legal Reasoning

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Table of Contents

Critical Analysis & Legal Reasoning

The Province of Jurisprudence Unbound: Re-conceptualizing Law in a World of Normative Diversity, Interaction and Conflict ...........................................................1
Zhong Xing Tan

Cyber Law

Identity crisis: global challenges of identity protection in a networked world ..........13
Steve Saxby and Alison Knight

Civilian Uses of Unnamed Aerial Vehicle and the Threat to the Right to Privacy – The Israeli Case Study .................................................................30
Uri Volovelsky

‘Clouding the Issue: Digital Identity and the International Regulation of Cross Border Data in the era of Cloud Computing’ ....................50
Clare Sullivan

Fighting Cyberterrorism with Legislative Bullet: Are We Really Ready? ..........65
Sonny Zulhuda & Ida Madieha Azmi

A common law position for a choice of law in internet defamation – the case for Hong Kong .................................................................80
Poomintr Sooksripaisarnkit

Group Defamation in the Age of Cultural and Technological Changes ..........91
Tamar Gidron

Electronic signature, completing e-forms, click wrap and matters of acceptance via online contracts: the past, present and future ..............................107
David Newlyn

E-Discovery of Electronically Stored Information in Commercial Litigation........120
Kah Leng Ter

For Privacy’s Sake: Consumer “Opt Outs” for Smart Meters .........................134
Nancy J. King and Pernille W. Jessen

Preliminary Injunctions against Internet Service Providers for Trademark and Copyright Infringement ....................................................147
Katja Weckström

Quo Vadis Information Society? Notification of Draft Rules on E-Services in the EU .................................................................161
P. P. Polanski
Table of Contents

Data Protection for Privacy Intrusions: The Case in Hong Kong .................................174
Jojo Mo

Private Law and State Paternalism: Too Much Legal Regulation of Private Life? .................................................................185
Carlos A. Rohrmann and Cristiane Rego

Protecting Privacy and Control of Online Personal Information .........................198
M.A Mthembu

Privacy Risk Area Assessment Tool for Audio Monitoring – from legal complexity to practical applications .................................................................209
Sébastien Ziegler & Papa Moustapha Kémo Sonko

Integrating information security policies into domestic legislation:
The Malaysian experience .............................................................................................................221
Ida Madeha Azmi and Sonny Zalhuda

Personal Data Privacy: Legal Protection and Model Regulation in Indonesia .................236
Sinta Dewi

The Regulation of Electronic Money Institutions in the SADC Region:
Some Lessons from the EU ..................................................................................................249
Maphuti D. Tuba

SPAM: An Overview of South African Legislative Developments ............................266
Sebo Tladi

Toward Understanding Social Engineering ........................................................................279
Abdullah Algarni, Yue Xu, Taizan Chan, Yu-Chu Tian

Competition Law

EU competition law on electricity sector liberalization .................................................301
Pornchai Wisuttisak

Competition Law in Malaysia: Issues and Challenges in regulating market behaviour .............................................................................................317
Mushera Ambaras Khan, Nasarudin Abdul Rahman, Rokiah Alavi, Haniff Ahamat

Regulating Competition in the Malaysian Telecommunication Sector:
A Need for a New Approach? ..............................................................................................329
Nasarudin Abdul Rahman, Dr Juriah Abd Jalil, Dr Haniff Ahamat, Safinaz Mohd Hussein
Table of Contents

Company Law

Business rescue in South Africa: A reasonable prospect for success? ........................344
WJC Swart

“Shari ‘ah Corporation”: The Legal Entity of Corporation from the
Malaysian Law and Shari’ah Perspective .................................................................359
Zuhairah Ariff Abd Ghadas, Nasarudin Abdul Rahman and Halyani Hassan

Contract Law

Flaws’ in Public Procurement not Synonymous with ‘irregularities’: A Guide
to Determining Irregularities that are Sufficient to Invalidate a Contract ...............373
Moses Retselisitsoe Phooko

Criminal Law

Shedding the Hearsay Rule of its Technical Shackles ..............................................385
Mohd Akrum Shair Mohamed

Criminal Law Ontology for Identifying Possible Sentences from Specific
Legal Elements ...........................................................................................................398
Sotarat Thammaboosadee and Bunthit Watanapa

Sexual Misconduct in Academic Setting: Domestic law and
Practice in Malaysia ..................................................................................................409
Ashgar Ali Ali Mohamed

Dispute Resolution

Finding the balance point in deciding the scope of the communications
ombudsman scheme .................................................................................................423
Grace Li

The Shift of Indonesian Government Response to Investor-State Arbitration
Claim in Public Interest-Related Cases .................................................................435
Iman Prihandono

The Enforcement of Foreign Arbitral Award Merged with Foreign Judgement
under the United Arab Emirate Civil Procedure Law ............................................450
Lafi Daradkeh
Table of Contents

Environmental Law

The Trials and Tribulations of Gaining World Heritage Listing for Australia’s only Tropical Rainforest .......................................................... 457
Patricia Blazey

Education Law

Lessons for Private Colleges that Offer Non-Accredited Courses: EMIS v Health Professions Council of SA [2013] ZASCA 87 ........................................ 469
Moses Retselisitsoe Phooko

Governance & Public Administration

Transparency in the Energy Law sector: Learning from the EU and the US ............ 477
Alessia Vacca

The Changing Paradigm on Governance: The Case of Indonesia................................. 491
Susi Dwi Harijanti

Judicial Review of Internal Legislative Proceedings: The Nigerian Experience ........ 505
Abdulfatai O. Sambo and Hunud Abia Kadouf

Human Rights

The Constitutionality of Search and Seizure Powers of Customs and Excise officials .................................................................................. 519
Henk Kloppers

Sterilization of children and young people with disabilities: Back to our roots or forward to the courts? .......................................................... 531
Trynie Boezaart

Minority Right to Freedom of Religion in International Legal Instruments and the Shari’ah ................................................................. 544
Hunud Abia Kadouf & Abdulfatai O. Sambo
# Table of Contents

## Insurance Law and Liability

Who’s Fault Is It Anyway? On Outsourcing and Liability towards Third Parties ......559  
*Daleen Millard and Monray Marsellus Botha*

Title Insurance as a Viable Option for the South African Property Registration System .................................................................586  
*Edith Mbiriri & Maphuti Tuba*

An Analysis of a South African Court’s Acceptability of Gender Discrimination in Motor-Vehicle Insurance .................................................601  
*Anthea N Wagener*

## Intellectual Property Rights

What’s Mine is Mine and What’s Yours is Mine Too: Converging U.S. Intellectual Property Exhaustion Doctrines .................................611  
*Johanna K.P. Dennis*

The Philosophy behind Fair Use: Another Step towards Utilitarianism .........................626  
*Giovanni Tamburrini and Sergey Butakov*

Fighting counterfeiting: Importance of enforcement of intellectual property rights ..........................................................................................643  
*Khadijah Mohamed and Ratnaria Wahid*

A Cobweb of Exception to Copyright Law for Research Purposes .........................652  
*Ratnaria Wahid and Khadijah Mohamed*

Comparative Legal Study of Intangible Cultural Heritage in the UK and China ........663  
Fang Zhou

The Insecurity of Patents: The Perspective from the Small Firm ..............................678  
*Dr Helen Gubby*

South African Patent Law and Access to Medicines ..............................................687  
*Lonias Ndlovu*

Improving Patent Quality through Pre-Grant Opposition in Thailand ..................697  
*Wanwipar Puasiri*

Can SHARP become the New Liquid Cristal Panel IGZO leader?  
Observations from patent information analysis .................................................712  
*Shihori Saito and Yoshitoshi Tanaka*
# Table of Contents

Study of blocking patents and many patents strategy by Japanese big companies ....725
*Yoshifumi Okuda and Yoshitoshi Tanaka*

Defining the technical roadmap in filtering technology for hydraulic Excavators using customers’ patent information .........................................................738
*Yoshinori Tsurusaki and Yoshitoshi Tanaka*

A Comparative Study of in-house R&D and joint R&D using patent information analysis ........................................................753
*Toshio Hashimoto and Yoshitoshi Tanaka*

## International Trade and Investment Laws

Most-Favoured Creditor Clauses in Sovereign Debt Restructurings: the ICSID Experience .................................................................767
*Gabriel Lochagin*

Sustainable Development and International Trade under WTO Regime ........772
*Kristianto P H*

The Weighted Average Price Determination in Anti-Dumping in South Africa: Is there Fowl Play? ............................................................784
*Omphemetse S. Sibanda*

Divestment Policy on Mining Sectors: The Challenge and Implications for Foreign Direct Investment in Indonesia ..............................799
*Mas Rahimah and Muchammad Zaidun*

Trade liberalisation and its impact on food security in Sub-Saharan Africa: The Case for the Agricultural Sector Play? ............................813
*Omphemetse S. Sibanda*

The Application and Impact of the Public Interest Provisions in the Malaysian Anti-Dumping Law ..............................................................828
*Haniff Ahamat*

The Role of Multinational Corporations in Indonesian Economic Development through Foreign Direct Investment and International Trade ..........................................................839
*An An Chandrawulan*

Brazil and International Conflict Resolution in e-commerce: Analysis of Conflict Resolution based on CISG .............................................851
*Arnaldo Sobrinho de Morais Neto, Harrison Alexander Targino and Thalysor Mota Vidal Nobrega*
# Table of Contents

## Labour and Employment Law

A two pronged approach: analysis of leave arising from the contract of Employment in South Africa .................................................................862

*Clarence I Tshoose and Themba Kunene*

Globalisation: “A Nightmare for the Working Class”? .................................872

*Mpakwana Annastacia Mthembu and Mpfari Budeli*

## Land Law and Cultural Disputes

Land disputes and the ongoing development of the substantive rule of law ..........882 in Myanmar (Burma)

*Nathan Willis*

An Ethnic Enclave Transformed into Enclave Tourism under Globalization in Taiwan .........................................................................................897

*Wei-Cheng Lin*

## Taxation

The Income Tax Implications for Individuals Involved in the 2010 FIFA Soccer World Cup in South Africa compared to the 2012 Olympic Games – Lessons from London? .................................................................906

*Liezel G Classen*

## Territorial Principle

The International Aspect of Arbitration under Indonesian Arbitration Law ..........921

*Huala Adolf*
Integrating information security policies into domestic legislation: the Malaysian experience

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Abstract. In 2006, Malaysia launched its National Cyber Security Policy ("NCSP") which is described as a blueprint of national strategies against cyber-attacks and warfare. This paper examines the NCSP and other related national policies on information security to determine the approach taken. It then conducts an analysis of all the related laws on the ten sectors that constitute the National Critical Information Infrastructure and considers whether the principles of CIA (confidentiality, integrity and availability) have been sufficiently addressed. The paper concludes by suggesting that despite all the idealistic strategies and milestones set under these policies, they have not been translated into hard legal obligations in most of the ten sectors.

1. Introduction

Malaysia has just completed her 13th general election which oversees a wave of malicious cyber-attacks targeting in particular, social media.1 The pinnacle of the attack is the bogus resignation letter of the Malaysian premier, Datuk Seri Najib Tun Razak planted on the web site of the Prime Minister’s Office.2 Prior to that hackers defaced several web sites over an ongoing territorial dispute between Malaysia and Philippines which have led to the invasion of Sultan gang-men into Sabah, which belongs to Malaysia.3 These series of cyber-attacks raise concerns over the security of the national critical information infrastructure (NCII). This article traces the process of integrating information security into the realm of national policies. It sets to examine whether the policy directions and milestones set under these national policies have been reflected fully in the domestic legislations governing the ten sectors. This paper is divided into two parts. Part A dwells into the various national policies on information security. It seeks to examine the policy directions set under these policies with respect to information security. Part B of the paper chronicles around the legislation governing the