



GCE A level

1253/01



S15-1253-01

LAW – LA3

UNIT 3: Understanding Substantive Law:

Freedom, The State and The Individual

OPTION 1: Contract and Consumer Law

A.M. MONDAY, 15 June 2015

1 hour 30 minutes

ADDITIONAL MATERIALS

In addition to this examination paper, you will need a 12 page answer book.

INSTRUCTIONS TO CANDIDATES

Use black ink or black ball-point pen.

Answer **two** questions.

INFORMATION FOR CANDIDATES

Each question carries 25 marks.

The number of marks is given in brackets at the end of each question or part-question.

You are reminded that assessment will take into account the quality of written communication used in your answers.

You are reminded of the importance of including knowledge from all areas of the course where appropriate including the Legal System of England and Wales. Part (b) of each question will test understanding of the connections between the different elements of the subject.

Option 1: Contract and Consumer Law

Answer two questions.

1. Study the text below and answer the questions based on it.

Arran went to buy a dishwasher. He walks into a branch of Nomit Limited and asks for Claire to give him advice. She tells him that the best dishwasher is a flusher machine as it has a dish wash sequence of 30 minutes and a relatively low temperature of 30° Celsius. He accepts the advice and buys the machine. When the dishwasher was delivered he discovered that it took 60 minutes to complete the sequence and had a water temperature of over 60° Celsius. As a result his electricity bill was twice what he expected. He now wishes to reject the machine.

- (a) In the light of reported case law and other sources of law, advise Arran. [14]
- (b) Explain the significance of statutory interpretation in the development of the law with reference to the above scenario. [11]

2. Study the text below and answer the questions based on it.

Robin is an antiques dealer. He negotiated with Edmund the sale of an Edwardian armchair for £2,000. Edmund agreed to buy it because he thought it was a rare Victorian armchair. He asked Robin to arrange for the armchair to be re-upholstered. During this process Robin discovered that the armchair was in fact an extremely rare Georgian chair and was worth over £50,000. Robin then refused to sell the chair to Edmund.

- (a) In the light of reported case law and other sources of law, discuss the legal position. [14]
- (b) Explain the methods available to Edmund outside of litigation in resolving this dispute. [11]

3. Study the text below and answer the questions based on it.

Bruce is eager to start a commercial driving school for lorry drivers and wishes to buy a demonstration lorry for £55,000. He agrees with Elite Finance a loan of £55,000 over a period of 5 years with monthly instalments of £1,100.00 to include interest. After he had paid £22,000, Bruce experienced financial difficulties because of the downturn in the economy which had meant that there were fewer pupils who wished to be trained in the commercial driving school. Bruce asked Elite Finance for a “payment holiday” for 12 months as otherwise he could not pay and also he requested a waiver of all interest during the 12 month “payment holiday”. Elite Finance agreed to this. However, when John, a new finance manager, joined the Elite Finance Company 4 months later he demanded that the payments resume including interest.

- (a) In the light of reported case law and other sources of law, advise Bruce. [14]
- (b) Explain the doctrine of precedent in the development of law in the above scenario. [11]

4. Study the text below and answer the questions based on it.

On Wednesday Jane Limited offers to sell 100 tonnes of grain to Cwm Farmers Limited at £750 per tonne. The offer states: “Please telephone or email an acceptance by noon on Thursday. Delivery will take place next Tuesday”. Cwm Farmers fax an acceptance at 10am the following day. However, at 10.30am they discover that they could buy the grain elsewhere at £500 per tonne. Immediately they email a withdrawal of the acceptance. Unfortunately the email was accidentally deleted by an employee of Jane Limited who then delivered the grain the following Tuesday and are now demanding payment.

- (a) In the light of the reported case law and other sources of law, advise Jane Limited. [14]
- (b) Explain the role of law reform bodies in promoting reform in the above scenario. [11]

END OF PAPER