

Friday 18 January 2013 – Afternoon

A2 GCE LAW

G156/01 Law of Contract Special Study

Candidates answer on the Question Paper.

OCR supplied materials:

- Clean copy of the Special Study Materials

Other materials required:

None

Duration: 1 hour 30 minutes



Candidate forename		Candidate surname	
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Centre number							Candidate number				
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INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Answer **all** the questions.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.
- Write your answer to each question in the space provided. Additional paper may be used if necessary but you must clearly show your candidate number, centre number and question number(s).
- Do **not** write in the bar codes.

INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [] at the end of each question or part question.
- The total number of marks for this paper is **80**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering questions **1** and **2** you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely 'lift' information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- This document consists of **24** pages. Any blank pages are indicated.

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In answering questions use the source materials **and** your knowledge of the subject.

- 2* In Source 3 [page 4 lines 13–14 Special Study Materials] Smith argues: *“Essentially, the question is the extent to which the law should interfere with the freedom of the contracting parties to do business in such a way as to limit or restrict competition”*.

Discuss the extent to which the courts’ development of the law on restraint of trade has interfered too much with parties’ freedom of contract in the light of the above statement. **[34]**

Start writing your answer to question 2 below. Start writing your answer to question 3 on page 17.

2*

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- 3** Consider whether or not the courts will find the following clauses in restraint of trade:
- (a)** Andrew worked at ‘Franks’, a hair salon in a small village, as a hair stylist. His contract said he could not work in any “hairdressing or other beauty-related industry anywhere within the same county for one year after leaving”. Six months after leaving Franks, Andrew has re-trained as a beautician and opened a nail salon in the same county, but in a city 100 miles away. **[10]**

 - (b)** Beth had a cake-baking and delivery business which was famous throughout the United Kingdom (UK). She sold it for £3 million. The contract of sale stated that she “could not engage in any food-related business within the UK for three years”. One year after the sale, she would like to set up a restaurant in London. **[10]**

 - (c)** A hospital has signed a contract with Uniforms4U to purchase uniforms for its staff. The contract states “the customer may not purchase uniforms from any other supplier for 25 years and will pay a price as decided by Uniforms4U each year for the uniforms supplied”. After two years, the prices charged by Uniforms4U are so high that the hospital would like to buy its uniforms elsewhere. **[10]**

Start writing your answer to question 3 below.

Write the number of the part question **(a)**, **(b)** or **(c)** in the margin.

A vertical line on the left side of the page is followed by 15 horizontal dotted lines, providing a space for writing answers.

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END OF QUESTION PAPER

PLEASE DO NOT WRITE ON THIS PAGE



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