

484/01

LAW – LW4

OPTION 01 CONTRACT AND CONSUMER LAW

P.M. MONDAY, 18 June 2007

(1½ Hours)

ADDITIONAL MATERIALS:

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

Instructions to candidates

- Candidates are required to answer **two** out of **four** questions.

Information for candidates

- Each question carries 25 marks.
- Candidates are reminded of the need for good English and clear presentation. All questions should be answered in continuous prose. The quality of written communication will be assessed in all answers.
- Reading time has been allowed for in the question time allowance.

Option 01 Contract and Consumer Law

Answer two out of the four questions.

Read all the sources carefully before answering the questions based upon them.

1. Lloyd bought a new washing machine from his local electrical store, Ritebulb Ltd. The machine was manufactured by Waterworks Ltd.

Lloyd asked George, a qualified plumber, to fit the machine and make the relevant pipe connections for the supply of hot and cold water. The second time that Lloyd used his new machine, he noticed water leaking from behind the machine. He attempted to call in George but was told that he was away on holiday. He therefore called in another plumber to repair the leak, Karen. On inspection, Karen told Lloyd that the leak had been caused by poor workmanship in the installation of the machine. One week later, when using the washing machine, it exploded, causing damage to the kitchen. Lloyd discovered that the explosion occurred because of a defective part in the machine.

Advise Lloyd as to his remedies against the parties. [25]

2. Alison entered into a contract with Belinda to allow Alison's performing poodles and bulldogs to appear at Belinda's circus the following week. Unknown to Alison and before she had contracted with Belinda, her poodles had caught an infection and were unable to perform. Before the show, Alison's bulldogs also became ill with a mysterious virus and also had to be withdrawn from the circus show.

Advise Belinda as to her remedies against Alison. [25]

3. David, a gifted amateur photographer who was sometimes paid to take photographs, took a very expensive camera to be repaired by Elizabeth who had often repaired David's cameras. As David was leaving her shop, Elizabeth handed to him a piece of paper which had a repair number on it to identify David's camera and which also contained the following clause:

"Liability for any breach of contract is limited to £25 and, in any event, there is no liability for any breach not reported within 24 hours of the camera's collection."

As a result of Elizabeth's negligence, the camera was ruined. David did not discover this because he did not use the camera for a few days. When he took it back to Elizabeth, she refused to pay for the camera, claiming that she was protected by her contract with him.

Advise David. [25]

4. Rebecca, who owns a restaurant, received a letter stating that a public health inspector would be visiting her premises in two weeks' time. She engaged Tudor, a local handyman, to carry out improvements to her premises and, in particular, to the toilets and kitchens. She promised to pay him £600 for the work if he completed it on time.

Two days before the date of the visit of the health inspector, Tudor was still far from completing the work and Rebecca was concerned that her premises might not satisfy the inspector. She told Tudor that she would give him an extra £400 if he completed the job on time. Tudor worked very hard and finished just before the health inspector arrived.

Rebecca now refuses to pay Tudor the extra £400 that she promised.

Advise Tudor.

[25]