



GCE A level

1253/01

LAW – LA3

**UNIT 3: Understanding Substantive Law:
Freedom, The State and The Individual
OPTION 1: Contract and Consumer Law**

A.M. THURSDAY, 12 June 2014

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.

Sandra contracted to sell Peter her sailing yacht, its road trailer and two outboard motors. They agreed that Sandra would repair the light on the trailer which was necessary to make the trailer fit for road use and then tow it with the yacht and the outboard motors to Peter's house three days later. Whilst Sandra was delivering the trailer, she was unfortunately involved in a road traffic accident on the M4. The trailer burst into flames and the yacht together with one of the outboard motors, was destroyed. Fortunately, Sandra was unhurt. In the meantime having bought the yacht, Peter paid £500 to Louise to enter a sailing competition using the yacht that he had bought from Sandra.

- (a) In the light of reported case law and other sources of law, advise Peter. [14]
- (b) Explain the approach taken by Judges in the interpretation of relevant statutes. [11]

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

Vince advertised a British bulldog for sale for £1,500 in the South Wales Evening Standard. Brenda faxed Vince and said that she would buy the bull dog for £1,500. Vince faxed back, stating that the price for the dog was now £2,000 and that he must have an answer within a week. Brenda telephoned Vince and asked if he could take payment in two instalments. Vince said no and that he would not be insulted in this way and put the phone down. Brenda, who wanted the dog, posted a letter the same day informing Vince that she wanted to buy the dog for £2,000 and would pay in one single instalment. Believing that Brenda was no longer interested, Vince has sold the dog for £1,500 to Hilary but has not yet delivered the dog to her.

- (a) In the light of reported case law and other sources of law, advise Vince. [14]
- (b) Explain the available sources of assistance for Hilary in funding litigation against Vince who is now refusing to deliver the dog to her. [11]

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

Sparkling Windows Limited is an industrial window cleaning business based in Wrexham. Sparkling Windows Limited entered into a contract with Lisa Public Relations to clean the windows of her company office block. First impressions are very important in the public relations industry. The following clause was included in the contract:

“In the event of failure to clean the office windows as required, Lisa Public Relations will be entitled to terminate the contract with immediate effect.”

On two occasions between January 2012 and November 2012, Sparkling Windows Ltd failed to turn up to clean Lisa’s offices. On each occasion this was blamed on the loss of a member of staff and in December 2012 Sparkling Windows Limited claimed that the problem had now been solved. Three months later Lisa found that her office had not been cleaned although all the other windows had been. She was fed up and relying on her clause in the contract, terminated with immediate effect, the window cleaning contract.

- (a) In the light of reported case law and other sources of law, advise Sparkling Windows Limited. [14]
- (b) Explain the development of relevant judge-made law. [11]

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

Sarah who is 30, lives in a mansion left to her by her parents. The house is worth £750,000. One evening she met Colin aged 45 and a few weeks later Sarah invited Colin to live with her. For a number of months everything was happy until Sarah discovered that Colin had been imprisoned some time ago for attempted murder. Shortly after she knew this, Colin suggested to Sarah that he buy into half of the share of her house and offered her £20,000. Sarah was afraid of Colin and she accepted. Shortly thereafter, half the share of the house was formally transferred into Colin’s name. Immediately, Colin took a loan from the Black Raven Bank for £200,000 secured against his half share of the house.

- (a) In the light of the reported case law and other sources of law, advise Sarah who now wants to avoid the transfer to Colin. [14]
- (b) Explain the role of Equity in the development of the law. [11]

END OF PAPER