



GCE A level

1254/01

LAW –LA4

**UNIT 4: UNDERSTANDING LAW IN CONTEXT:
FREEDOM, THE STATE AND THE INDIVIDUAL
OPTION 1: CONTRACT AND CONSUMER LAW**

P.M. TUESDAY, 31 January 2012

2½ hours

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 from Section A and **one** question from Section B.

Write your answers in the separate answer book provided.

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 that this paper contains a synoptic element in Section B and will test understanding of the connections between the different elements of the subject.

UNIT 4 : UNDERSTANDING LAW IN CONTEXT
OPTION 1: CONTRACT AND CONSUMER LAW

SECTION A

Answer two questions from this section.

1. Evaluate the legal regime for advertising credit and hire. [25]

2. Evaluate the approach adopted in English and Welsh law in measuring loss in damages for consumers. [25]

3. Evaluate the extent to which implied terms are significant in imposing obligations upon the supplier in consumer contracts. [25]

4. Evaluate the mechanisms available for enforcing consumer rights without going to court. [25]

SECTION B

Answer one question from this section.

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

“A UNIFIED REGIME FOR CONSUMERS (PART 3)

Background

- 2.2 For consumer contracts, the key objective of our project was to design a single, unified legislative regime that preserved the consumer protections currently afforded by both UCTA and the UTCCR.
- 2.3 In developing our recommendations we were aware of the constraints imposed on us by the UK’s obligation to implement the Directive in full. Equally, as we stated in the Consultation Paper, we were keen that consumers should not be deprived of any of the protections afforded by UCTA.”

[Source: Law Commission Report, *Unfair Terms in Contracts* No. 292 (2005)]

- (a) Explain what is meant by the unified legislative regime for consumers referred to by the Law Commission. [11]
- (b) Evaluate the mechanisms for the reform of Consumer Law in England and Wales. [14]

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

“Part 6. The Protection of the Consumer in Credit Transactions.

Many families, through no fault of their own, find their income quite insufficient for their needs, even with such supplementary benefits as are available ... to persons in this position the need to borrow may become acute. The most that protective legislation can hope to achieve for consumers in this situation is the alleviation of hardship by judicial control over the enforcement of judgement debts and over the repossession and realisation of goods or other property held by the debtor under a security agreement ...”

[Source: The Report of the Committee on Consumer Credit (Crowther Committee)
Cmd 4596/1971]

- (a) Explain the measures available in Consumer Law in regulating enforcement following default by a consumer. [11]
- (b) Evaluate the significance of Human Rights in the development of Consumer Law in England and Wales. [14]