



**GCE A level**

1253/01



S16-1253-01

**LAW – LA3**

**UNIT 3: Understanding Substantive Law:**

**Freedom, the State and the Individual**

**OPTION 1: Contract and Consumer Law**

A.M. TUESDAY, 21 June 2016

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.

Ruth, who is 80 years of age, is feeling unwell and is keen to adapt her house to make it easier to manage if later on she finds it more difficult to walk around the house. She approaches Keith, a local builder, to make the necessary adjustments to the house. He agrees to do so for a sum of £43,000. Halfway through the job, Keith threatens Ruth that unless she pays him an additional £7,000 he would not be able to complete the job on time. Reluctantly, Ruth agrees. Two weeks later, sadly, Ruth suffered a stroke, which left her immobile. Keith, on learning this fact, informs Ruth that he will not complete the job unless she transfers to him half the value of her house. Ruth, who is so frail, agrees to transfer half her interest in the house to Keith and informs the Land Registry.

- (a) In light of reported case law and other sources of law, advise Ruth as to the legal position. [14]
- (b) Explain the role of Equity in the development of the law. [11]

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

Joanna is a world class opera singer. She agrees to sing in the opening grand concert of the Salford Gilbert and Sullivan Society at their brand new concert hall being built for them. The concert was scheduled to take place on 1<sup>st</sup> May 2015. Unfortunately the concert hall burned down at the end of March 2015 and no alternative venue for the concert was available. The Chairman of the Society has now cancelled the contract.

- (a) In light of reported case law and other sources of law, advise Joanna as to her legal position. [14]
- (b) Explain the approach taken by judges in the interpretation of statutes. [11]

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

Peter is a famous artist of seascape paintings. He completed a masterpiece entitled "Tenby the Seafront" and on 1<sup>st</sup> September 2015 advertised it for sale for £6,000 or very nearest offer. Lucy, an admirer of Peter's works, decided that afternoon that in order to secure the painting she would offer £5,950 for the painting and posted a letter, including the offer, on the afternoon of 1<sup>st</sup> September. In the meantime, Huw, an amateur collector of paintings, phoned Peter and offered him £4,500. Peter rejected this on 2<sup>nd</sup> September by text. Huw immediately texted back and offered Peter the full asking price. Before Peter replied to Huw, he received the letter from Lucy.

- (a) In light of reported case law and other sources of law, advise Peter as to the legal position. [14]
- (b) Explain the development of judge-made law. [11]

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

Gareth bought a small bush from Surprise Gardens Limited because he needed a quick growing bush for a small botanical garden business where he is the owner. He used the company cheque book account to pay for the bush. He planted the bush but instead of it growing as he had expected, it turned out to be a rampant weed which spread wildly and caused £12,000 of damage to the other plants in the botanical garden. When he complained to Robert, the General Manager of Surprise Gardens Limited, he was referred to clauses in the contract of supply which purported to restrict liability to the purchase price of the goods bought for breach of satisfactory quality and that subject to this, there was "no liability whatsoever" for any other breach.

- (a) Advise Gareth who, as the owner of a small business, cannot afford the losses incurred. [14]
- (b) Explain the available sources of assistance for Gareth in funding litigation and also any alternatives to litigation. [11]

**END OF PAPER**