



## Foundation Certificate in Marketing - Stage 2

### REGULATORY ENVIRONMENT FOR MARKETING

THURSDAY, MAY 8, 2003. TIME: 9.30 am - 12.30 pm

Please attempt **FIVE** questions.

(If more than the specified number of questions are attempted, delete those you do not wish to have marked. Otherwise the Examiner will mark the **FIRST** five questions in your Answer Book).

All questions carry equal marks.

Do **NOT** repeat question in answer, but show clearly the number of the question attempted on the appropriate page of the Answer Book.

1. Discuss the role and main functions of the Competition Authority as provided for by Irish competition legislation.
2. Good Health Cereals Ltd. offered every consumer who returned 60 carton tops from their range of breakfast cereal products a free return flight to London from Dublin with Superquick Airlines. The instructions on the cartons clearly indicate that the offer will remain open until 31<sup>st</sup> August. Advise each of the following who have responded to this offer.
  - (a) John returned the 60 carton tops before the closing date, but has now been informed by Good Health Cereals Ltd. that due to the demand for this offer that all the replies including John's which are received after 1<sup>st</sup> July will now receive 60 cartons of breakfast cereal instead of the flights.
  - (b) Mary returned her 60 carton tops after 31<sup>st</sup> July, but was unaware of the newspaper notices published by Good Health Cereals Ltd. stating that replies received after 20<sup>th</sup> July would receive no flights or cartons of breakfast cereals.
3. Explain the type and characteristics of the form of intellectual property, which is defined and protected by any **two** of the following acts:
  - (a) The Patents Act 1992
  - (b) The Trade Marks Act 1996
  - (c) The Copyright & related rights Act 2000.

**P.T.O.**

4. Discuss **each** of the following aspects of the Consumer Credit Act 1995.
- (a) What is APR and what is its importance for a consumer? (6 marks)
  - (b) Apart from APR, what other information must advertisements of consumer credit contain? (8marks)
  - (c) What is the application and significance of "the cooling-off period" for consumer credit agreements? (6 marks)
5. (a) List only the possible methods by which the relationship of agency may be created. (5 marks)
- (b) Interaction Ltd. authorised Michael to buy 400 personal computers on its behalf, but instructs Michael confidentially not to pay any more than €3,000 per computer. Michael becomes well known among computer dealers in the area as a buyer of computers for Interaction Ltd. Michael buys ten computers for €4,000 each. Explain whether Interaction Ltd. must pay for the computers? (15 marks)
6. Discuss **each** of the following as a remedy for breach of contract.
- (a) Damages (14 marks)
  - (b) Specific performance (6 marks)
7. In many sale of goods contracts, the parties do not make specific provisions as to when property (ownership) in the goods will pass or transfer to the other party. In such situations Section 18 of the Sale of Goods Act provides a set of rules on the passing of property (ownership). Detail these rules.
8. (a) List only the types of companies that may be registered in accordance with the Companies Acts 1963–2001. (4 marks)
- (b) Explain the principle that a registered company is a separate and distinct legal person from those who own and control such a company. (16 marks)