SECTION A

PART A QUESTION 1

A lot of students answered this question, but few did well. Answers displayed good general knowledge regarding the ACL guarantees, but a disappointing number used an incorrect definition of “consumer” and/or failed to even mention manufacturer liability for defective products.

PART A QUESTION 2

Many students answered the question and showed a good overall understanding of the legal issues arising. E.g. fit for purpose, merchantability, incorporation of terms into contracts. However, a few students ignored the international aspect of the transaction.

PART A QUESTION 3

A large percentage of students attempted this question. Most were able to give general answer covering relevant points.

SECTION B QUESTION 4

About one third of students attempted this question, but few answered well. Most understood that a bailment was involved, but many were unable to correctly analyse the relevance of that for PPSA purposes.

SECTION B QUESTION 5

Many students attempted this insurance question. They had a good general coverage of disclosure and utmost good faith and the ICA. However, there was some confusion over the application of s. 54 and s. 28.

SECTION B QUESTION 6

Although this question is generally regarded as easier by students due to the choice, short answers, generally descriptive answers, marks did not support this overall.

M. Noonan
26/03/2018