PART A QUESTION 1

Approx 90% of students attempted this question, concerning B2C services, ACL guarantees and conduct provisions, but few handled it well.

PART A QUESTION 2

A majority of students attempted this question on mediating the given dispute. Some did particularly well.

PART A QUESTION 3

Students who attempted generally had a good idea of the application of s. 18 ACL. A surprising number of students introduced “unconscionable” into the mix.

SECTION B QUESTION 4

Most students who attempted this question had a good basic understanding of security interest, Purchase Money Security Interests and super priority for them.

SECTION B QUESTION 5

A good number of students attempted this insurance question. It called for a straightforward analysis of contract, including the concept of utmost good faith, and application of s. 54 Insurance Contracts Act. Some students applied disclosure (ss. 21,28) instead, indicating some difficulty analyzing the facts.

SECTION B QUESTION 6

90% of students attempted this question due to choices, and generally acceptable descriptive answers rather than need for analysis of problems. Marks varied in much the same way as problem questions, but with less complete failures.

M. Noonan
22 September, 2019