Given the number of students who sat for the exam, it is somewhat misleading to analyse the results by applying standard statistical techniques.

Results reflected the quality of preparation, the level of understanding of what was asked in the questions, legal logic, application of the relevant cases (attached to the exam paper) and legibility.

The results demonstrate a concerted effort by students to master the subject of competition and consumer law.

PART A

Question 1

Students who attempted this question, which required short answers to 4 sub questions, generally did very well.

A number of the sub parts to the question attracted high marks.

Question 2

This question, required answers to 2 out of 3 questions (covering the November 2017 amendments to the Competition and Consumer Act, unfair contractual terms in small business contracts and forms of misleading representations (s 29 of ACL).

It was answered very competently.

PART B

Question 1.

Overall, the standard of answers to this question on section 50 of the CCA was very satisfactory.

Question 2.

This question, on misleading and conduct/representations (s18, 29 etc. of ACL), was attempted by most of the students. The standard of analysis and application of the relevant cases was generally of a very high level

Question 3

Of the students who attempted this question on product liability (Statuary guarantees & Parts 3 – 5 of ACL), most recognised the issues including the definition of a
“consumer”, for the purpose of the statutory guarantees, and the basis for bringing an action against a manufacturer whose product contained a safety defect which caused damage.

PART C

Students were required to answer 2 of the 6 questions in Part C.

Question 1

This question required students to write notes on the significance of 2 out of 6 cases. Most answers were very satisfactory.

Question 2

Most students who attempted this question on representations as to future matters (s4 of ACL) provided a competent answer.

Question 3

This question on the term “safety defect” (s9 of ACL) was generally reasonably well understood and answered.

Question 4

This question on harassment and coercion (s50 of ACL) was very well understood and answered.

Question 5

This question on limitation, consisting of 5 sub-parts, regarding a cause of action under the CCA and the ACL, was very competently answered.

Question 6 of Part C

This question regarding the standing of a person to apply for an interim injunction was very well answered.

The Assignment.

Generally, the assignment marks were satisfactory.

It is noted that, students who did well in the assignment often carried this performance into the exam.