

Legal Profession Admission Board
March 2021
Contract Law
Examiner's comments

General observations

1. As with past examinations, all topics in the course were covered in the examination questions, but with an emphasis of Topic 5 onwards. In this regard, given that there was no choice of questions, it was important that candidates considered the full range of examinable topics: Formation (but there was less emphasis on this), Terms, Vitiating Circumstances, Privity, and Remedies.
2. It was the expectation of the examiners that candidates not only identified the relevant issues in each of the three questions, but also cogently applied the principles from the cases and legislation, and provided supported conclusions. Particularly as the examination was open book this semester.
3. 170 candidates sat the examination. Final marks were in the range 24% to 75%. One candidate was awarded a Pass Distinction grade, 22 candidates were awarded a Pass Merit grade and 90 candidates were awarded a Pass grade. The final marks and grades were an improvement on last semester, across the board.
4. As the examination was a confidential examination, these comments cannot identify the specific issues in the questions.

Questions

5. The examination comprised of three problem questions worth almost equal marks (27, 27, 26). Candidates were required to attempt all three questions:
 - (a) Question 1 involved several issues, but loosely focused on the classification of terms, breach of contract and termination.
 - (b) Question 2 focused on the incorporation and interpretation of exclusion clauses and privity of contract.
 - (c) Question 3 focused on vitiating circumstances and formation.
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