

# Legal Practitioners Admission Board

March 2022

## Commercial Transactions

### Examiner's Comments

#### General observations

1. The whole course was examinable. Students were asked to answer 2/3 questions in Part A and 2/3 questions in Part B. 5 out of the 6 questions were problem questions. Each question carried equal marks of 20%.
2. Most questions asked in this examination explored a particular area of the law, but could involve more than one aspect. This reflects reality. Disputes arising in commercial law frequently involve a number of legal issues.
3. There were some excellent examination results. Students who did well were able to identify the legal issues raised by the facts of a problem, and apply relevant law to do as requested.
4. As always, marks were awarded for well constructed and well argued answers, whether they reached the same conclusion the examiner would have reached, or even the conclusion a superior court has already reached!
5. The failure rate was much the same as previous semesters. Reasons for failure included:
  - a) No attempt at an answer
  - b) Attempting only 3 questions or attempting the wrong questions. A couple of students attempted one question in Part A and three in Part B. As only 2/3 of the latter can be marked, this meant that those students only had three questions in total marked, and not 4.
  - c) A very brief answer - a couple of lines or a paragraph-with little or no analysis, argument or legal support.
  - d) A description of law that might apply in a general way such as mentioning a statute might apply, or saying that "this question is about....", or material cut and pasted from text or notes, but without specific reference to particular issues raised by the facts of a problem, or how they could be dealt with.
  - e) Failure to identify or understand the legal issue(s) raised by a question

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M.Noonan  
7 April, 2022