

Legal Profession Admission Board

March 2024

Law of Associations

Examiner's Comments

General Observations:

All topics in the course, except *Insolvent Trading*, were covered in the examination questions. The topic *Insolvent Trading* was the focus of a compulsory assignment. There were 6 questions in the examination, of which candidates were required to answer 4. The questions were of equal value and there were no compulsory questions.

It was expected that candidates would be fully conversant with the entire course having regard to all relevant legislation and case law covered in the course. Most candidates performed reasonably well in the examination. Overall the standard was higher than last semester but there were still some common mistakes.

The most common mistakes made by students included:

- (a) Not adequately identifying the legal principles involved.
- (b) Not applying the facts to the principles of law and reaching a conclusion in each question. Students must show that they can adequately apply the facts to the principles of law. Simply identifying the principles of law is not sufficient.
- (c) Not adequately organising their answer in a logical manner. Although each student has their own individual approach to answering questions it is important to identify immediately the nature of the problem, the issues involved in answering the problem and the legal principles involved in answering the problem. Then the student should apply the facts to the legal principles and come to a conclusion.

It is very important that the student adopt a style to help the reader to follow the student's argument. For example students should consider using headings in their answer to allow the reader to follow the students's approach.

- (d) There was a proportion of examination papers in writing that lacked clear and easy to read answers.

Final marks of those candidates who passed the examination, were in the range 50%-80%. 37 candidates were awarded a Pass grade, 26 candidates were awarded a Pass Merit grade, 18 candidates were awarded a Pass Distinction grade. 11 candidates failed.

As the examination was a confidential examination, these comments cannot identify the specific issues in the questions.