

# Legal Profession Admission Board

September 2022

Law of Associations

Examiner's Comments

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## General observations

1. 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.
2. 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. The most common mistakes made by students included:
  - (a) Not adequately identifying the legal principles involved. Some questions had similar facts and some students did not understand or read the question sufficiently to distinguish between the principles of law involved in each question. In some instances that resulted in the student failing in that question.
  - (b) Not applying the facts to the principles of law and generally reaching a conclusion in each question. This was the most common mistakes of students. 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 referring to the case law and legislation to support their opinion.
  - (d) Not adequately organising their answer in a logical manner.

## Questions

Final marks of those candidates who passed the examination, were in the range 50%-77%. 41 candidates were awarded a Pass grade, 19 candidates were awarded a Pass Merit grade, 5 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.

## Exam self-evaluation - Take-aways for students

Students are encouraged to consider the following points:

- Did I approach the open-book format in an honest and appropriate way?
  - Are the responses my own work?
  - Did I manage the time well?
  - Did I answer all required questions?
  - Did I address each point in each question?
  - Did I acquire enough knowledge in the course and considered it sufficiently prior to exam to be able to focus on critical thinking of each issue while responding to exam questions?
  - Did I focus on analysis, synthesis and evaluation rather than restatement of facts and information presented in the lectures and course materials?
  - Did I identify and apply the right legal principles?
  - Did I offer sufficient support to each argument and cite correct authorities?
  - Did I reach a conclusion on each issue identified and at the end of each response?
  - Where was my knowledge of this subject deficient?
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