

**EXAMINER'S COMMENTS ON COMPETITION & CONSUMER LAW**  
**EXAMINATION –MARCH 2021**

The exam covered a wide range of provisions contained in the Competition & Consumer Act (Restrictive Trade Practices), which includes the Australian Consumer Law (Deceptive Trade Practices and Product Liability). The paper referred to facts contained in the assignment question, which was annexed.

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

Students, generally, demonstrated a concerted effort to master the elements of Competition and Consumer Law, such that this was reflected in a very acceptable average mark of 67.

The individual marks for each question generally indicated:

- i. the standard of preparation,
- ii. the level of understanding of what was asked in the questions,
- iii. legal logic (including identification of key facts and threshold issues) and analytical competency; and
- iv. the application of the relevant sections and cases (as identified on the case list), including the proper use of cases.

Legibility and structure were, overall, satisfactory.

There were 4 questions in Part A and 4 questions in Part B.

The questions included topics on misuse of market power, deceptive trade practices, consumer guarantees and unfair contract terms.

**Assignment.**

Generally, the assignment marks (average 14.2/20) were very satisfactory.

Typically, students who did well in the assignment often carried this performance into the exam.

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