

OCR

Oxford Cambridge and RSA

Friday 24 June 2016 – Morning

A2 GCE LAW

G156/01 Law of Contract Special Study

Candidates answer on the Question Paper.

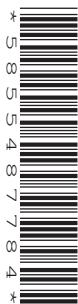
OCR supplied materials:

- Clean copy of the Special Study Material

Other materials required:

None

Duration: 1 hour 30 minutes



Candidate forename		Candidate surname	
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Centre number						Candidate number				
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INSTRUCTIONS TO CANDIDATES

- Write your name, centre number and candidate number in the boxes above. Please write clearly and in capital letters.
- Use black ink. HB pencil may be used for graphs and diagrams only.
- Answer **all** the questions.
- Read each question carefully. Make sure you know what you have to do before starting your answer.
- You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.
- Write your answer to each question in the space provided. If additional space is required, you should use the lined page at the end of this booklet. The question number(s) must be clearly shown.
- Do **not** write in the bar codes.

INFORMATION FOR CANDIDATES

- The number of marks is given in brackets [] at the end of each question or part question.
- The total number of marks for this paper is **80**.
- Candidates are reminded of the need to write legibly and in continuous prose, where appropriate. In answering Questions **1** and **2** you will be assessed on the quality of your written communication (QWC) including your use of appropriate legal terminology. These questions are marked with an asterisk (*).
- Candidates are reminded that they are able to use the information given in the sources to support their own knowledge and understanding, evaluation, analysis, and application of the law. Where candidates wish to extract from the source in this way they should use quotation marks or accurately cite lines of the source. Candidates who merely 'lift' information from the source materials without using it to support further knowledge, evaluation, analysis or application, will receive little or no credit. You are expected to demonstrate understanding of the area(s) of law and the development of law and to use legal methods and reasoning to analyse legal material, to select appropriate legal rules and apply these in order to draw conclusions.
- This document consists of **24** pages. Any blank pages are indicated.

You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

In answering questions, use the source materials **and** your knowledge of the subject.

Answer **all** the questions.

1* Discuss the significance of the decision of the House of Lords in *Davis Contractors Ltd v Fareham UDC* [Source 3, page 4, Special Study Material] to the development of the rules of frustration.

[16]

Start writing your answer to Question 1 below. Start writing your answer to Question 2 on page 7. Start writing your answer to Question 3 on page 17.

1*

A series of horizontal dotted lines for writing the answer to Question 1.

A series of horizontal dotted lines for writing, starting from the top of the page and extending to the bottom, with a solid vertical line on the left side.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines, evenly spaced, extending across the width of the page. This layout is typical for a handwriting practice sheet or a notebook page.

Lined writing area with a solid vertical line on the left and horizontal dotted lines.

A vertical solid line runs down the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

You are reminded of the importance of including relevant knowledge from **all** areas of your course, where appropriate, including the English Legal System.

In answering questions, use the source materials **and** your knowledge of the subject.

2* In Source 6 [page 7, line 1, Special Study Material] Morgan notes that '*Frustration is often explained by pointing to notions of fairness and justice.*'

Discuss the extent to which the doctrine of frustration, including the rules on the consequences of frustration, provides justice. **[34]**

Start writing your answer to Question 2 below. Start writing your answer to Question 3 on page 17.

2*

A large area of the page is reserved for writing, indicated by a vertical line on the left and horizontal dotted lines extending across the page.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

A writing template consisting of a vertical solid line on the left side and 25 horizontal dotted lines extending across the page, providing a guide for handwriting practice.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

A writing template consisting of a vertical solid line on the left side and 25 horizontal dotted lines extending across the page, providing a guide for handwriting practice.

A vertical line is positioned on the left side of the page. From this line, 25 horizontal dotted lines extend across the page, creating a series of rows for writing.

A series of horizontal dotted lines for writing, starting from the top of the page and extending to the bottom, with a solid vertical line on the left side.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

A series of horizontal dotted lines for writing, starting from the top of the page and extending to the bottom, with a solid vertical line on the left side.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

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In answering questions, use the source materials **and** your knowledge of the subject.

- 3** Consider whether or not a court is likely to find the contracts below frustrated and, if so, what the legal consequences would be.
- (a)** Last week Alberto contracted Bryony to collect and hand-deliver his film script from his house in Newcastle to a production company in London. Bryony knew it would cost her £70 in flights and other costs to complete the journey and so she charged Alberto £150. The delivery is to be made tomorrow but this morning a volcano erupted and the ash cloud has halted all flights for the next three days. Bryony will now have to drive to Newcastle and then London which will take much longer and will cost her almost £200. She would like to pull out of the deal. **[10]**
 - (b)** Karim has a contract to produce 1000 footballs for Lauren at a cost of £2 each. Of the total cost (£2000), half is to be paid on delivery of the first 500 footballs and the final half is to be paid on completion. Karim has so far produced and delivered 750 footballs but he has not received any payment. Yesterday his factory burnt down destroying the machinery he needs to produce the footballs. **[10]**
 - (c)** Seetha wants Vlad to create for her a diamond necklace made of 50 pink diamonds. Vlad knows that there are only about 70 pink diamonds available and that they are highly sought after but he nevertheless agrees and they sign a contract. The cost is £50 000, to be paid in full on delivery of the necklace. Vlad has only been able to purchase 40 pink diamonds, at a cost to him of £20 000. The other diamonds have been bought by other collectors who now don't want to sell them. This morning, Parliament made the trade in pink diamonds illegal. **[10]**

Start writing your answer to Question 3 below.

Write the number of the part question **(a)**, **(b)** or **(c)** in the margin.

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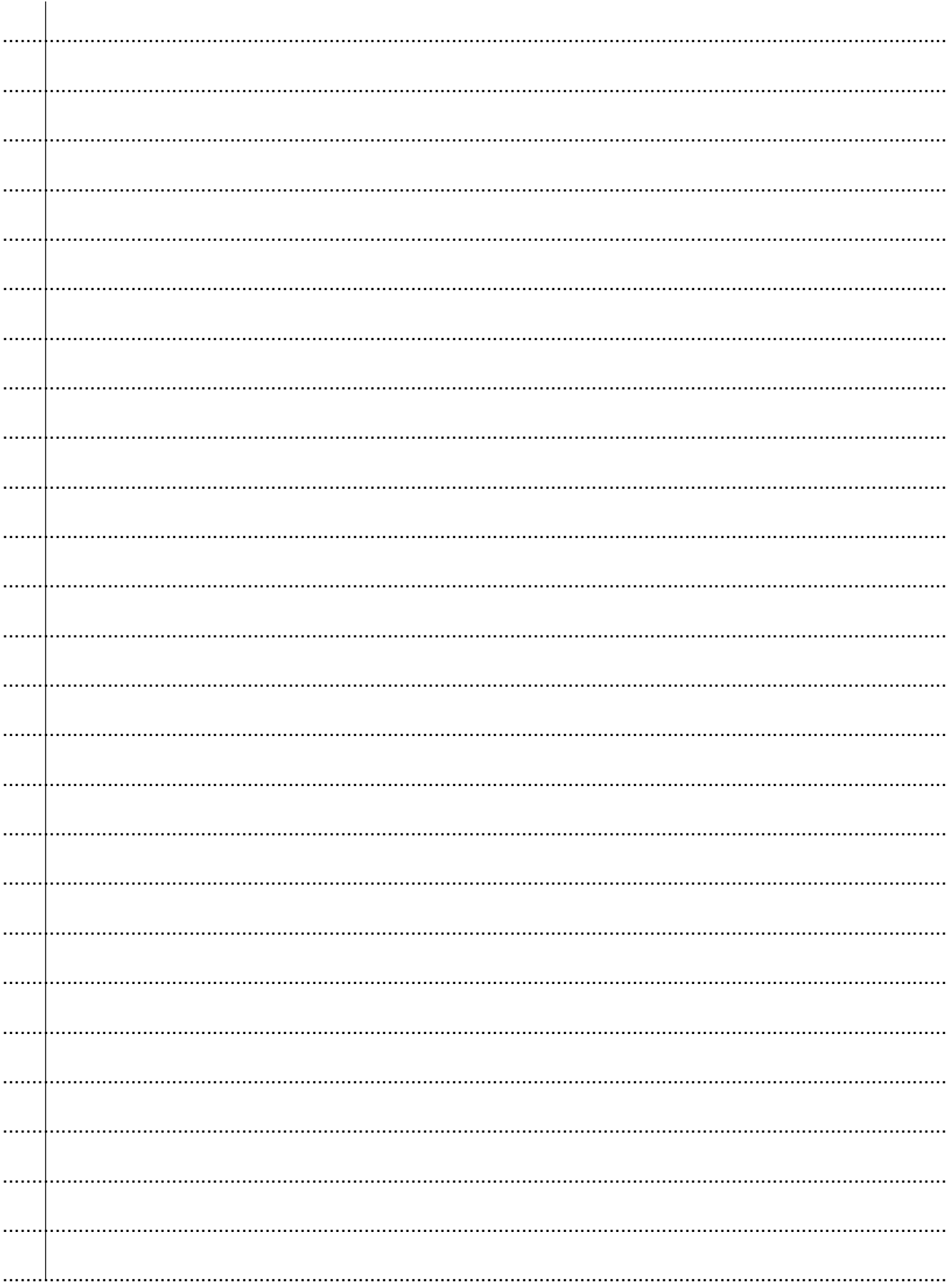
A vertical solid line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines spaced evenly down the page, providing a guide for handwriting practice.

A writing template consisting of a vertical solid line on the left side and 25 horizontal dotted lines extending across the page, providing a guide for handwriting practice.

A vertical line is positioned on the left side of the page. From this line, 25 horizontal dotted lines extend across the page, providing a guide for writing.

A series of horizontal dotted lines for writing, spanning the width of the page. A solid vertical line is positioned on the left side, approximately one-tenth of the way across the page, extending from the top to the bottom of the writing area.

A vertical line is positioned on the left side of the page. To its right, there are 25 horizontal dotted lines extending across the width of the page, providing a guide for handwriting practice.



END OF QUESTION PAPER

ADDITIONAL ANSWER SPACE

If additional answer space is required, you should use the following lined page. The question number(s) must be clearly shown in the margin.

A large rectangular area with a vertical solid line on the left side and horizontal dotted lines across the rest of the page, providing space for writing answers.



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