

Please write clearly in	block capitals.	
Centre number	Can	didate number
Surname		
Forename(s)		
Candidate signature		

A-level **LAW**

Paper 3A Contract

Monday 17 June 2019

Afternoon

Time allowed: 2 hours

Materials

· You will need no other materials.

Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- Do all rough work in this book. Cross through any work you do not want to be marked.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

For Examiner's Use				
Question	Mark			
1–5				
6				
7				
8				
9				
10				
11				
TOTAL				

Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.



	Answer all questions in the spaces provided.		
For each	vant to change your answer you must cross out your original answer as	s shown.	select
0 1	Select the true statement about the remedy of specific performance in		[1 mark]
	A Any party who is the victim of a breach of contract is entitled to specific performance.	0	
	B Any party who is the victim of a breach of contract is entitled to specific performance where the contract is for the supply of personal services.	0	
	C Specific performance may be awarded even though damages would be an adequate remedy.	0	
	D Specific performance may be awarded where the contract is for the supply of a unique item.	0	
0 2	Select the false statement about economic duress in contract.		[1 mark]
	A It does not automatically bring the contract to an end.	0	
	B It requires pressure to be applied which is regarded as improper.	0	
	C It requires the use, or threatened use, of physical force.	0	
	D It will not be proved unless the victim was pressured into doing or agreeing to do something against their will.	0	



0 3	Select the false statement about the institutions of the European Unio	on.	[1 mark]	outside t box
	A The Council of the European Union has law-making powers.	0		
	B The European Commission has an important role in enforcing European Union law and policies.	0		
	C The European Court of Justice is the final court of appeal on all law for all member states.	0		
	D The European Parliament has law-making powers.	0		
0 4	Select the false statement about the rule of law.		[1 mark]	
	A It cannot operate properly if the Government can easily interfere with decisions made by judges.	0		
	B It encourages law makers to produce laws which are as clear and comprehensible as possible.	0		
	C It prevents judges from making decisions on cases in which they have a personal interest.	0		
	D It supports attempts by governments to limit access to the civil justice system by reducing state funding for bringing claims.	0		
0 5	Select the true statement about delegated legislation.		[1 mark]	
	A court may declare delegated legislation invalid if it is not within powers granted to a minister by the enabling Act.	0		
	B By-laws can only be made by local authorities.	0		
	C In any year, there are about as many Acts of Parliament as there are pieces of delegated legislation.	0		
	D To become law, statutory instruments must be approved by both Houses of Parliament by way of the affirmative resolution procedure.	0		5



		[5 marl
Extra space		



_
7

Ben sent a message to Alex which read, "How much do you want for your car? I think it's worth about £2500." Alex replied, "Correct. A deal at £2500, then. No need to reply. Collect when you are ready." When Ben went to collect the car, he discovered that Alex had sold it to someone else for £3000.

have no rights and t		[5 n
		_
Extra space		

Turn over for the next question



Turn over ▶

0	8

Dan offered to sell a football shirt for £100 which he said had been worn by Eduardo, a famous footballer. Dan's only reason for saying so was that a friend had told him, "That looks like Eduardo's shirt". Clive wanted to buy the shirt, but he asked his friend, Gary, a football fan, to accompany him to inspect the shirt. Gary agreed that the shirt could have been worn by Eduardo, so Clive paid Dan £100. Clive was very angry when he subsequently learned that Eduardo had never worn the shirt.

		[10 n
		-



Extra space		

10





	In Question 09 you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.
0 9	If a contract is terminated by reason of frustration, the consequences for each party will be determined by application of the Law Reform (Frustrated Contracts) Act 1943.
	Examine the role of law in balancing conflicting interests.
	Discuss the extent to which the provisions of the Law Reform (Frustrated Contracts) Act 1943 enable a judge to achieve an appropriate balance of conflicting interests where a contract terminates by reason of frustration. [15 marks]



		Do not w
		outside : box
Extra space		
_		
		15

Turn over ►



In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1	n

Hal bought a £200 tent from Outward, a local store, in preparation for a summer camping holiday. He did not check the tent until the day before he was due to leave, when he found that it was badly made and would not stay up. Fortunately, his next-door neighbour, Jed, was able to lend him a suitable tent.

When Hal returned from holiday after six weeks, he took the tent back to Outward who said that there was nothing they could do because he had signed an invoice which stated that goods could only be returned if a fault was reported within 21 days.

Whilst Hal was away, Jed had become ill and was no longer able to do the repair work to his house that he had intended. The work needed to be done before winter set in. Hal, a builder, promised to do the work because Jed had lent him the tent. However, Hal never did the work and Jed had to pay £500 to another builder for the repairs to be done.

remedies against Hal.	[20
	[30 marks]





Turn over ▶

Extra space





Turn over ▶

	1
	Do not write outside the box
	box
	30



In Question **11** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

Phil and Katie organised a party to celebrate Katie's 30th birthday. They hired a room for £300 at the Lander Hotel, and paid a deposit of £150. The room was to be available until 1.30 am and food, drink and music would be provided. Two weeks before the party was to take place, the Lander Hotel informed Phil that an 'unfortunate double-booking' meant that Katie's party would have to be transferred to a smaller room which would only be available until 11.30 pm. Additionally, no food would be available. Phil refused to accept the change, but the Lander Hotel insisted that the larger room was not available and would not refund the £150 deposit. Eventually, Phil and Katie succeeded in hiring another suitable room at a different hotel but at a cost of £500.

Phil also paid for Katie to have a small dragonfly tattooed on her arm at Nina's tattoo salon. Katie was in tears and very distressed when she saw the tattoo on her arm, which was much larger than she had expected and looked more like a child's drawing of an aeroplane than a dragonfly. When Katie complained, Nina denied that there was anything wrong with the tattoo and said that, in any case, Phil had paid for it, not Katie.

Consider the rights and remedies of Phil and Katie against the Lander Hotel and consider Katie's rights and remedies against Nina.

Assess the likely effectiveness of the remedies that you have suggested may be available to Phil and to Katie.

[30 marks]



	Do not write outside the
	box



Extra space

Turn over ►

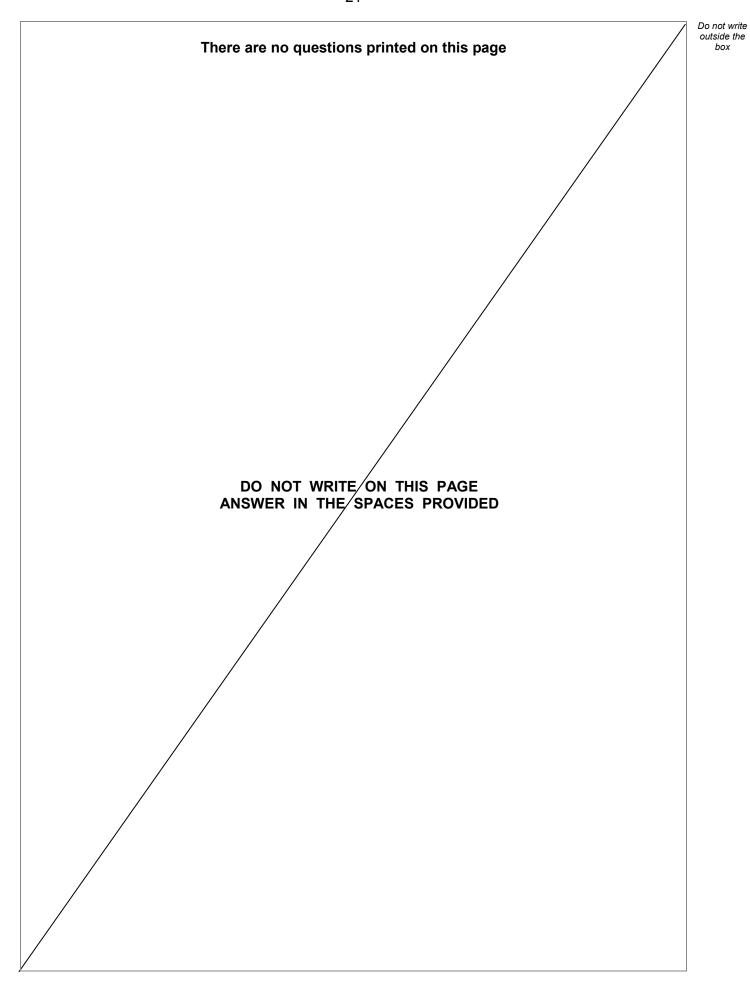






	Do not write outside the box
	BOX
	30
END OF QUESTIONS	
END OF QUESTIONS	







Question number	Additional page, if required. Write the question numbers in the left-hand margin.



Question number	Additional page, if required. Write the question numbers in the left-hand margin.



Question number	Additional page, if required. Write the question numbers in the left-hand margin.
	Copyright information
	For confidentiality purposes, from the November 2015 examination series, acknowledgements of third-party copyright material are published in a separate booklet rather than including them on the examination paper or support materials. This booklet is published after each examination series and is available for free download from www.aqa.org.uk after the live examination series.
	Permission to reproduce all copyright material has been applied for. In some cases, efforts to contact copyright-holders may have been unsuccessful and AQA will be happy to rectify any omissions of acknowledgements. If you have any queries please contact the Copyright Team, AQA, Stag Hill House, Guildford, GU2 7XJ.
	Copyright © 2019 AQA and its licensors. All rights reserved.



