

Candidate Name

Candidate Number

Centre Name

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**Paper 3A: Law in action: Contract Law**

**For Examination December 2023**

(1 hour 30 minutes)

You must answer on the enclosed answer booklet.

You will need: Answer booklet (enclosed)

**INSTRUCTIONS**

- Answer two questions in total.
- Answer **ALL** parts of question 1 in section A.
- Answer **ONE** question **ONLY** in section B.
- You should spend no more than 45 minutes on each question.
- Your answers should be supported by references to relevant instruments and/or authority.
- Full case citations are not required. A partial reference to the title and/or a brief description of facts will be sufficient.
- Follow the instructions on the front cover of the answer booklet. If you need additional answer paper, ask the invigilator for a continuation booklet.

**INFORMATION**

- The total mark for this paper is 60.
- The number of marks for each question or part question is shown in brackets [ ]

## Section A

**Answer all parts of this question. You should spend no longer than 45 minutes on this section.**

(a) Dimitri owns two lorries designed to carry horses. In June 2020 he entered into an agreement with Equine Farms Ltd to make his vehicles available at all hours to transport their horses wherever they need to go (which makes them his sole clients). A term of this agreement stated: 'This arrangement is not entered into as a formal legal agreement.' In June 2022 Equine Farms informs Dimitri that they have purchased their own vehicle and are terminating the agreement with immediate effect. Dimitri wants to know if there is a formal legal agreement.

(b) In 2023 a hit movie called '*Dubai Dreams*' was released starring an actor called Fayruz Darwish. A woman also called Fayruz Darwish contacts a local dressmaker, Isla Jones, to arrange for a dress to be made. The dress is going to cost €750. "Are you really Fayruz Darwish?" Isla asks. "Well, yes," Fayruz replies. "I'll give you a twenty per cent discount if you will let me display the dress in my shop window before you wear it," says Isla. Fayruz agrees. Fayruz first meets Isla when calls to collect the dress. Isla is shocked to discover Fayruz is not the famous actor. She demands that Fayruz pays the full price for the dress.

Advise Isla as to the rules regarding mistakes and whether she is likely to succeed with her demand. [10 marks]

(c) Long has a ring given to him by his parents, but it is stolen. He places an announcement on Twitter offering a €10000 reward to anyone who provides information leading to the recovery of his ring. Kayla is a homeless person on the streets. The ring is dropped into her lap. Unaware of the reward, but realizing the ring is valuable, she takes it to a police station. The next day Kayla sees a TV news report on a TV in a shelter where she is staying. The report features Long celebrating the safe return of his ring. The report mentions the unclaimed reward.

She asks you, a worker in the shelter, whether she might be able to claim the reward under contract law. Advise Kayla [10 marks]

## Section B

Answer ONE question only from this section

2. (a) Outline how a contract can be discharged. [5 marks]  
(b) What can the court do if a contract is breached or frustrated? [25 marks]
3. (a) Explain the distinction between void and voidable contracts [5 marks]  
(b) Evaluate the effect misrepresentation can have on a contract. [25 marks]
4. (a) Explain the difference between express and implied terms. [5 marks]  
(b) "Statute law on exemption clauses renders common law principles largely irrelevant." Evaluate the validity of this statement. [25 marks]
5. (a) Outline what is meant by capacity in relation to contract law. [5 marks]  
(b) When are the courts likely to enforce contracts with minors? [25 marks]