

Examiner's report

F4 (ENG) Corporate and Business Law

December 2017

General Comments

The December 2017 paper followed the structure introduced in the December 2014 examination. The paper is divided into two parts: Section A comprises 45 multiple choice questions (MCQs) of either 1 or 2 marks to a total of 70 marks, while Section B contains 5 multiple task questions (MTQs) each worth a total of 6 marks giving the normal overall total of 100 marks. All questions are compulsory and the exam time period is 2 hours.

In the computer based examination format, all questions are structured so as to be capable of objective marking, while in the paper based format, although Section A is marked objectively by computer, Section B is still marked by subject experts.

The present structure replicates division in the previous examination structure between essentially knowledge based questions and questions requiring, not merely knowledge, but analysis and application in addition.

Section A

In analysing the overall performance, somewhat surprisingly and contrary to previous sessions, it can be seen that candidates fared slightly worse in this section than in the analysis/application section.

As might be expected, it remains the case that the less complicated 1 mark questions tended to be answered better than the more complex 2 mark questions. It has to be said, however, that there was a wide range of performance over the whole range of questions in either mark category, so it cannot be concluded that either the 1 mark questions were too easy or the 2 mark questions too difficult, although the best performances were in relation to 1 mark questions and the worst in relation to the 2 mark ones.

As in previous examinations, the extension of the field of material to be covered did not prove a major difficulty. However, it has to be admitted that candidates did show some problems in dealing with the more difficult questions in areas of the syllabus in which they have traditionally struggled. It would appear that candidates have benefited from the recognition that they will be examined over a wider spectrum of the curriculum, there appears to be a tendency for candidates in Section B, to provide general answers in topic areas rather than to focus specifically on the details of the issues raised in the questions. However, this may well just be the nature of the small number of candidates who actually took the written exam.

In Section A, the least well done 1 mark question was the following question:

In relation to the tort of negligence, the requirement of foreseeability requires which of the following?

- A** The particular injury was reasonably foreseeable
- B** The extent of the injury was reasonably foreseeable
- C** The type of injury was reasonably foreseeable

The correct answer was **C** and very few candidates selected the correct answer with the other selections being evenly split between the other two possibilities. Negligence continues to prove to be the most difficult area for candidates to deal with.

The least well done 2 mark question was the following question:

In relation to contract law, when do agreements entered into over the internet become binding?

- A** When the service provider receives the order
- B** When the service provider sends electronic acknowledgement of their agreement
- C** When the customer receives the electronic acknowledgement of the agreement
- D** When the customer approves the service provider's acknowledgement

The correct answer was again **C**, although on this occasion it was selected by significantly few of the candidates. The role of IT in relation to law generally and contract law in particular is a legitimate, and increasingly important aspect of the syllabus, which will be examined more often in examinations.

Section B

This element of the examination requires both analysis and application, which skills traditionally have not been to the forefront of candidates' abilities. A number of candidates continued to prepare general answers to topics rather than focusing on the specific issues raised in the individual questions.