

LAW OF CONTRACT: PROBLEM QUESTION EXAMPLE ANSWER EXERCISE

In this exercise, we are going to look at two (real!) example problem question answers from previous Law of Contract assessments. The aim is to think about what makes a good or bad answer to a problem question.

You will get more out of this exercise the more effort you put into it, so we recommend that you follow each of these steps in turn:

1. First, read the following two short problem questions, jot down some quick notes on how you would advise the parties in each question. (Both questions are from contract law assessments in recent years.)
 - a) Zachary deals in second-hand furniture under the trading name 'Filton Office Supplies' (FOS) from an industrial estate in Filton. He has 30 second-hand office desks in stock and advertises them for sale in the local free newspaper. The advert appears on Monday and reads '30 Bridport style office desks – as good as new – on sale for £500 total – collection from Filton Office Supplies – to be paid in full by cheque – first person to provide a cheque to receive desks.' The advert refers to FOS's website where further details of the desks can be found, together with FOS's contact details and address. On Tuesday, Paul posts a letter to FOS with a cheque for £500 and his address for delivery. Unfortunately, there is a postal strike, and his letter does not arrive until Friday morning.
 - b) Bertha inserts the following advert in her local newspaper, the Bristol Gazette: "Kayak for sale; in excellent condition; offers around £300. Contact Bertha, 32 Windsor Gardens, Bristol". After a week of no replies, Bertha eventually receives a letter from Albert which reads: "Would you be interested in £275 for your kayak?" This is written on Albert's headed notepaper and provides details of his business address, e-mail address, and mobile phone number. Convinced that she is unlikely to receive a better offer, Bertha sends an e-mail to Albert saying "£275 is fine."
2. Next, read the following answers to the questions. (These are real student answers which have been reproduced verbatim from the assessments. The authors have kindly permitted us to use them in this exercise. Neither is a perfect or model answer, and it should go without saying that copying these answers in an assessment would be a serious academic offence.)
3. Make some notes on each answer. How does it compare to your own answer to the question? Do you think it answers the question well or badly? Why? What would you add to the answer, take away, or do differently?

We will discuss these answers in our consolidation lecture on Wednesday 14 December. There will also be an opportunity to ask questions about them at an online Q&A session on Thursday 15 December.

We are planning to conduct a similar exercise, focusing on essay questions, at the end of TB2.

Law Of Contract Model Answer

Edmund Hamilton Smith



Law Of Contract Model Answer:

Model Answers in the Structure of Commerce T. W. Cox, R. Lawson, 2013-10-22 Model Answers in the Structure of Commerce aims to do the following a to be a guide to students as to how to tackle questions in this particular subject b to give some indication as to the length of answers and content an examiner would expect and c to help students to appreciate the scope of the syllabus and also the type of questions likely to be set in examinations The book begins with a discussion of how to answer examination questions on the Structure of Commerce Subsequent chapters present questions relating to industry and commerce types of business organizations distribution methods import and export procedure foreign trade the capital market the banking system and methods of payments transport location of industry insurance consumer protection Also provided are a selection of questions requiring brief treatment on a variety of subjects and questions relating to trade calculations This book does not attempt to replace good textbooks on the subject of Commerce although much benefit will be derived from studying carefully the answers to the questions **Q & A Series** Dr. Mukul A. Burghate, Solutions to PRINCIPLES OF MANAGEMENT Winter 2012 and Summer 2013 Muktai Chavan Deb PDIMTR Solutions to MANAGERIAL ECONOMICS Winter 2012 and Summer 2013 Dr Aprana Samudra PDIMTR Solutions to FINANCIAL ACCOUNTING Winter 2012 and Summer 2013 Shymal Ruikar PDIMTR Arvind Khadse GHIMR Solutions to ENVIRONMENT MANAGEMENT Winter 2012 and Summer 2013 Dr Kavita Patil PDIMTR Solutions to QUANTITATIVE TECHNIQUES Winter 2012 and Summer 2013 Tushar Taley PDIMTR Padmakar Shahare GWCET Solutions to BUSINESS LEGISLATION Winter 2012 and Summer 2013 CA Rohit Swalkar PDIMTR Sunil Ikharkar GWCET *Ex Aequo et Bono as a Response to the 'Over-Judicialisation' of International Commercial Arbitration* Nobumichi Teramura, 2020-05-12 Despite its many distinguished proponents over time ex aequo et bono the idea of deciding disputes on the basis of what an adjudicator regards as fair and equitable has failed to take hold in international commercial arbitration ICA Formalisation and fossilisation of arbitral procedure as manifested in the increasing use of litigation style practice unfortunately reign instead This bold and challenging book argues that parties to an arbitration should be more willing for their cross border disputes to be decided and arbitrators should be more prepared to decide those disputes in accordance with broad principles of equity and fairness rather than by strict adherence to technical rules of law Putting forward suggestions based on extensive research and doctrinal considerations this book invites us to confront what ICA was supposed to be what it now is and what it can be In particular Dr Teramura discusses how by resorting to ex aequo et bono arbitrators can construe contractual terms including the limits apply trade usages deal with mandatory rules of a given forum or place of performance minimise the cost and length of time that arbitration takes avoid the abuse of discretion and ensure predictable results The book examines significant differences in the way that ex aequo et bono arbitration is understood among various state and international institutions It attempts to identify a common core of universally accepted concepts underlying those different understandings The book argues that ex aequo et bono has

the potential to reform ICA without undermining its positive aspects Along the way it discusses the implications of ex aequo et bono arbitration on the now widely used UNCITRAL Model Law on ICA It should thus appeal to lay business persons and commercial law practitioners who are looking for an economical and efficient way to solve business disputes within a globalised arbitration framework

Concentrate Questions and Answers Contract Law Stephen R. Wilson, Clare Sandford-Couch, 2016 This essential Q A study and revision guide contains a variety of model answers and plans to give you the confidence to tackle any essay or problem question and give you the skills you need to excel in law exams and coursework assignments

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