Cambridge Assessment International Education

Cambridge International AS & A Level

LAW **9084/31**

Paper 3 Law of Contract **October/November 2024**

1 hour 30 minutes

3922951945

You must answer on the enclosed answer booklet.

You will need: Answer booklet (enclosed)

INSTRUCTIONS

- Answer **three** questions in total:
  Section A: answer **one** question.
  Section B: answer **two** questions.
- 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 75.
- The number of marks for each question or part question is shown in brackets [ ].

This document has **4** pages. Any blank pages are indicated.

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Section A

Answer **one** question from this section.

EITHER

1 Leo is opening a coffee shop and has made the following contracts:
- Taylor is to train the new staff, starting five days before the coffee shop opens.
- Anika is to supply 15 bags of coffee, each containing 10 kg.
- Riley is to clean the coffee shop at 17:00 each day.

Taylor does not arrive until the day before the coffee shop opens, resulting in the new staff not being trained in time for opening day.

Anika delivers 30 bags of coffee, each containing 5 kg. Leo refuses to accept the smaller bags even though the total amount of coffee is the same.

On the opening day, Riley arrives at 20:00 to clean the coffee shop.

Advise Leo whether he can terminate each contract and claim damages. [25]

OR

2 Viktor goes to an electronics store, XY Ltd (XYL), to buy a computer and an e-reader. He speaks to Helena, an in-store electronics specialist. He makes it clear that he requires:
- a computer with an internal DVD drive
- an e-reader.

Viktor orders the computer and e-reader Helena recommends.

When Viktor receives the computer, it does not have an internal DVD drive. Viktor takes it back to the store 14 days later and demands a refund. The store refuses to give him a refund, saying that he should have returned the computer within 7 days.

The e-reader comes with a free e-book. When Viktor downloads the e-book, there are lines of text missing. He asks XYL to replace the e-book. XYL refuses because Viktor did not have to pay for it.

The e-reader works for four weeks and then develops a fault. When Viktor returns it to the store, XYL suggests a repair and Viktor agrees. It is repaired and returned 10 days later but the fault still exists. XYL refuses Viktor's demand for a refund.

Advise Viktor as to his rights under the Consumer Rights Act 2015 and the remedies available to him. [25]

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Section B

Answer **two** questions from this section.

3 The point at which an offer ends is uncertain.

Assess the validity of this view. [25]

4 Assess the extent to which the limited use of the remedy of specific performance prevents justice from being achieved. [25]

5 The common law distinction between representations and terms is vital but frequently unclear.

Evaluate the factors considered when deciding whether a pre-contractual statement is a representation or a term. [25]

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