

1

1. **Column 1** is a list of business terms relating to contract law. **Column 2** is a list of possible explanations for these terms.

(One explanation does not refer to any of these terms.)

Column 1: Terms	Column 2: Explanations
1. Specific Performance	A. Some contracts must be in writing to be legally valid.
2. Legality of form	B. A way of terminating a legal contract.
3. Performance	C. The mutual exchange of something of value in a contract.
4. Consideration	D. Each party chooses to enter a contract voluntarily.
5. Capacity	E. A remedy for breach of contract.
	F. The legal right to enter into a contract.

Match the two lists by placing the letter of the correct explanation under the relevant number below.

1.	2.	3.	4.	5.

2

- (A) (i) Explain the term ‘data protection’ under the terms of the Data Protection Acts 1988 and 2003.
 (ii) Discuss the functions of the ‘data protection commissioner’ under the terms of this act. (20 marks)

- (B) Evaluate any **two** of the following legislative approaches to solving conflict:
 (i) Small Claims Court;
 (ii) Labour Relations Commission;
 (iii) Employment Appeals Tribunal. (20 marks)

- (C) Illustrate your understanding of the following terms in relation to a valid contract:
Agreement; Legality of form; Consideration. (20 marks)

(60 marks)

3

- (C) Describe how conflict between an employer and an employee could be resolved in a non-legislative manner. (15 marks)

4

(C) In relation to the Law of Contract, illustrate your understanding of *Capacity to Contract*.
(10 marks)

5

8. (a) Explain the legal term 'consideration'.

(b) Outline **two** other elements of a legally binding contract.

(i) _____

(ii) _____

6

2. In relation to the law of contract distinguish between the terms 'offer' and 'invitation to treat'.

7

(C) *Specific Performance* is a term used in contract law. Explain what it is and when it would be used.
(10 marks)

8

(C) Explain the elements of a valid contract. (20 marks)

1. Explain the legal term 'capacity to contract'.

Give **TWO** examples of situations where an individual or legal entity does not have capacity to contract.

- (i) _____
- (ii) _____

- (B) Explain four methods by which a legal contract may be terminated. (20 marks)

1. Distinguish between 'Arbitration' and 'Conciliation'.

(i) Arbitration _____

(ii) Conciliation _____

1. Fill in the appropriate words to complete **each** of the following statements.

- (i) R_____, replacements and repairs are forms of redress available to a consumer under the **Sale of Goods and Supply of Services Act 1980**.
- (ii) The _____ provides a solution to consumer conflicts and can award compensation up to €2,000.
- (iii) The term **merchantable quality** in consumer law implies that consumer products are of a reasonable quality having regard to their _____.
- (iv) The _____ is responsible for investigating, enforcing and encouraging compliance with consumer law.
- (v) The **Sale of Goods and Supply of Services Act 1980** states that all providers of services will supply a service with _____.

Part 1

People in Business / Business Environment

People in Business

Question 1

- (A) (i) Explain the term **co-operative relationship** between stakeholders in a business.
 (ii) Describe **one** example of a co-operative relationship which could arise between **each** of the following pairs of stakeholders:
- Employer and employee
 - Investor and manager of a business
 - Producer and consumer. (20 marks)
- (B) Evaluate **negotiation, conciliation** and **arbitration** as methods to resolve industrial conflict in the workplace. (20 marks)
- (C) Read the information supplied and answer the questions which follow.



Samsung Electronics abandoned its Galaxy Note 7 smartphone after customers reported that phone batteries were prone to catching fire.

Source: adapted from Irish Independent, October 2016

- (i) Name the act which protects consumers who purchased the Samsung Galaxy Note 7.
 (ii) Outline **three** provisions of the act regarding a consumer's statutory (legal) rights in relation to the Samsung Galaxy Note 7. (20 marks)
(60 marks)

Question 1

- (A) (i) Outline **two** reasons for **fair** dismissal, as set out under the Unfair Dismissals Acts 1977-2007.
 (ii) Explain the term **constructive dismissal**, providing an **example** to support your answer. (20 marks)
- (B) A legal contract can be terminated by **performance**, whereby parties to the contract fulfil their obligations as agreed.
 Outline **three other** methods for terminating a legal contract. (20 marks)
- (C) Read the information supplied and answer the question which follows.

The National Consumer Agency (NCA) now known as the Competition and Consumer Protection Commission (CCPC), launched an investigation into the motor vehicle emissions scandal at the car manufacturer Volkswagen.

- Evaluate the functions of the **NCA (CCPC)** with regard to protecting the interests of consumers. (20 marks)
(60 marks)

15

- (C) Outline a **consumer's legal rights** under the terms of the *Sale of Goods and Supply of Services Act 1980*, with reference to any **three** of the following:
- (i) Merchantable Quality
 - (ii) Guarantees
 - (iii) Signs limiting consumer rights
 - (iv) Unsolicited Goods.
- (20 marks)
(60 marks)

16

- (B) (i) Discuss the rights of consumers under the terms of the Sale of Goods and Supply of Services Act 1980.
- (ii) Illustrate **two** forms of redress available to consumers for breach of the Act.

17

- (B) Evaluate the role of **each** of the following in protecting consumers:
- (i) The Small Claims Court;
 - (ii) The Office of the Ombudsman for Public Services.
- (20 marks)

18

- (B) (i) Illustrate the circumstances where retailers would be in breach of the Sale of Goods and Supply of Services Act 1980.
- (ii) Outline remedies available to consumers for breaches of the Act. (25 marks)

19

- (B) Describe the provisions of the Sale of Goods and Supply of Services Act 1980 and evaluate its effectiveness. (30 marks)

