INSTRUCTIONS

1. This is a supervised open-book examination. Course study guide, prescribed textbook, self-made notes, pens, pencils and erasers may be brought into the examination room.

2. You are allowed to use electronic devices for the purpose of referring to digital course materials and notes only. These devices must not be connected to the internet, Wi-Fi must be disabled and tablets must be in flight mode. They must not be used to type your exam responses.

3. Your reading time before the examination is 10 minutes. No writing may be undertaken during this period.

4. This examination consists of four (4) questions, each worth 7.5 marks.

5. Attempt all questions.

6. All answers must be in black or blue ink.

7. Please answer each question in the space provided on this examination paper.

8. The exam contributes 30% towards your final grading in this course.

Please complete the following details:

Family Name: ______________________________________

Other Name: ______________________________________

Student No.: ______________________________________
QUESTION 1
In the past decade there has been increasing pressure exerted by the general community and consumer action groups for businesses to perform as “good corporate citizens”. Media groups also have an enormous influence on corporate behaviour. Do you feel that these checks and balances are sufficient, together with current corporations and consumer protection legislation or does Parliament need to legislate for business ethics?
QUESTION 2

Describe the factors relevant to a court’s determination of the existence of a duty of care in a case of pure economic loss such as negligent misstatement.
QUESTION 3

“As the twentieth century has progressed, social values have changed. So, too, have the perceptions of the role of law in society. Law is now viewed as an instrument for achieving justice and there are few better examples of this occurring than that which has taken place in the law of contract. There are, today, many instances where the law of contract strikes at perceived injustices. Furthermore, there now exists a plethora of legislation with the sole purpose of giving consumers protection against the suppliers of goods and services. In many instances, caveat emptor has become caveat venditor.”


Provide an example from a current Federal statute that has altered a common law principle of contract law in respect to providing protection to the consumer in commercial agreements.
QUESTION 4

Discuss the significance of the distinction between “employees” and “independent contractors” and explain how the appropriate status may be determined?