Please check the examination details below before entering your candidate information

Candidate surname	Other names

Pearson Edexcel
International Advanced Level

Centre Number | Candidate Number

Monday 12 November 2018

Afternoon (Time: 3 hours) | Paper Reference **YLA1/02**

Law

International Advanced Level
Paper 2: The Law in Action

You do not need any other materials.

Total Marks

Instructions

- Use **black** ink or ball-point pen.
- **Fill in the boxes** at the top of this page with your name, centre number and candidate number.
- Answer **all** questions.
- Answer the questions in the spaces provided – *there may be more space than you need.*

Information

- The total mark for this paper is 100.
- The marks for **each** question are shown in brackets – *use this as a guide as to how much time to spend on each question.*

Advice

- Read each question carefully before you start to answer it.
- Try to answer every question.
- Check your answers if you have time at the end.

Turn over ▶

P55210A

©2018 Pearson Education Ltd.

1/1/1/1

P 5 5 2 1 0 A 0 1 2 0

Pearson

Answer ALL questions.

Write your answers in the spaces provided.

1 (a) Explain **three** reasons why the Consumer Protection Act 1987 imposes differing levels of liability on some defendants.

(6)

1 .....

.....

.....

.....

2 .....

.....

.....

.....

3 .....

.....

.....

.....

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

Lionel, a window cleaner, has become annoyed with a company called Trand Corp (TC) because it has failed to pay his £2,000 outstanding fees. Lionel has written about this on social media warning others about TC. As a result of the warning, TC's largest customer is refusing to deal with the company, causing TC to lose £10,000.

Lionel's local newspaper has investigated TC and discovered many of its small suppliers have not been paid over the past two years. A journalist from the newspaper publicises these findings. This results in the company losing a contract to supply health services to the government.

(b) Evaluate Trand Corp's claim against Lionel and the newspaper under the Defamation Act 2013.

(14)

(Total for Question 1 = 20 marks)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

2 (a) Explain **one** term implied in consumer contracts as stated by the Sale of Goods Act 1979, now amended by the Consumer Rights Act 2015.

(2)

(b) Explain, using examples, **two** types of exclusion clauses that may be regarded as unfair.

(4)

Susan owned a mobile fast food van, which she used during the week. She always had her van serviced by Robert on a Saturday. Robert knew Susan worked on weekdays.

Susan asked Robert if he could repair the lights on the van on the next Saturday. Robert said he could finish the repairs on time. Susan agreed, as long as the van was ready for Monday morning. Susan gave the van to Robert on the Saturday morning and he started work on it. However, Robert returned Susan's van to her on Tuesday. As a result, Susan lost £500 in sales on the Monday.

(c) Evaluate the contractual rights **and** remedies available to Susan.

(14)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

(Total for Question 2 = 20 marks)

3 A national newspaper has published the personal medical details of a famous football player, Anaan, against his wishes.

(a) Describe **two** Acts of Parliament Anaan may rely on to protect his privacy.

(4)

Anaan has lost a valuable sponsorship deal after the newspaper published his personal medical details. The hospital has admitted to passing Anaan's details to the newspaper without his consent.

(b) Analyse the remedies that may be available to Anaan against the newspaper and the hospital.

(6)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

Roxy is a trainee hairdresser. After work, she met her friend, Pablo, who works as a model. Roxy explained that she had just started to learn how to colour hair. She showed Pablo a range of products that she was learning to use.

Pablo asked Roxy to colour his hair. Roxy agreed but did not read the instructions on the products. She failed to follow the recommended tests and mixed the products incorrectly. Pablo's skin became blistered and clumps of his hair fell out.

(c) Assess whether Roxy owes Pablo a duty of care in negligence.

(10)

(Total for Question 3 = 20 marks)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

BLANK PAGE

QUESTION 4 BEGINS ON THE NEXT PAGE.

4 Chem Block Limited runs a food factory that has mistakenly pumped poisonous waste into a local river. Chem Block Limited argues that it is not at fault because it had taken all reasonable precautions to prevent the pollution. The maximum statutory punishment is a £20,000 fine.

(a) Identify the elements of a strict liability offence in this situation.

(4)

It is discovered that Arjun, an employee of Chem Block Limited, decided to risk poisoning Chem Block Limited's food production as a dare. As a result, Chem Block Limited had to destroy its entire production run.

(b) Analyse whether Arjun could be found guilty of criminal damage.

(6)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

Arjun often stayed at his girlfriend Rosa's house, and he knew she was desperate to get married. Hoping to get money from Rosa he promised to marry her. However, he had no intention of doing so. Rosa then transferred £50,000 into Arjun's bank account. When Rosa discovered Arjun was lying to her she ended the relationship and told him never to go to her house again. As Arjun was leaving the house he noticed Rosa's expensive gold watch in her bedroom. He went into the bedroom and picked up the watch but instantly put it back when he heard Rosa coming to see what he was doing. He then left the house.

(c) Assess Arjun's possible criminal liability for any property offences.

(10)

(Total for Question 4 = 20 marks)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

BLANK PAGE

QUESTION 5 BEGINS ON THE NEXT PAGE.

5 The roof of Sonja's house was in urgent need of repair. Some of the tiles were very loose and one fell on Aurora, a 16-year-old girl, as she was delivering Sonja's newspaper. On previous visits, Aurora had noticed that the tiles were loose and might fall, but had decided to ignore the risk.

Sonja had also moved a broken washing machine into her back garden, so it could be recycled later. That night, Jenny, aged 23, decided that she would burgle Sonja's house. She entered the garden through a gap in the fence and fell over the broken washing machine in the dark, cutting her head badly.

Evaluate the civil rights and remedies, if any, of Aurora **and** Jenny against Sonja.

(20)

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

(Total for Question 5 = 20 marks)

TOTAL FOR PAPER = 100 MARKS

BLANK PAGE

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

BLANK PAGE

DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA
DO NOT WRITE IN THIS AREA

BLANK PAGE