

## LW ENG Specimen Exam Answers

<b>Question</b>	<b>Correct answer</b>	<b>Marks</b>
1	Statute	1
2	Ordinary shares	2
3	County court	1
4	Unofficial industrial action	2
5	A private limited company	1
6	Six weeks	1
7	The shares may not be offered to the public	1
8	Shareholders of the company	2
9	An ordinary resolution with special notice	2
10	More than 50% of those actually voting	1
11	Unfair dismissal	1
12	Constructive dismissal	1
13	The person submitting the tender	2
14	An offer	2
15	Volenti non fit injuria	2
16	It decreases the level of damages	1
17	Crown Court	1
18	The county court	1
19	It is not binding on any courts	2
20	The claimant	1
21	Contributory negligence	2
22	The subordinate test	2
23	A warranty	1
24	Telling someone you will reduce the marked price on it by 10%	2
25	A special resolution	1
26	The company has altered its primary business within the first 12 months	2
27	Abe made an invitation to treat and Bea made an offer	2
28	The mischief rule	1
29	They are paid when profits are available for that purpose	2
30	It must be sufficient but need not be adequate	1
31	The legal reason for deciding the case	2
32	Beyond reasonable doubt	2
33	They must have a minimum of two members	1
34	The company	2
35	The members of the company	2
36	Layering	2
	Integration	
37	Engaging in trade union activity	2
	Dismissal on transfer of employment to a new	

	<b>undertaking</b>	
38	<b>Where the agent fails to disclose that they are acting as such</b>	1
39	<b>Re-employment</b>	1
40	<b>They are responsible for filing the LLP's accounts</b>	2
	<b>They are fully liable for partnership debts</b>	
41	<b>Encouraging someone to engage in insider dealing</b>	2
	<b>Passing on inside information</b>	
42	<b>A quotation of price</b>	2
43	<b>They need not be in writing</b>	1
44	<b>The claimant</b>	2
45	<b>It is a non-binding statement of present intention to pay a subsidiary company's future debts</b>	2
	<b>It is issued by a parent company</b>	

### **MTQ 46**

#### **Task 1 (2 marks)**

They compensate the injured party for any financial loss  
They put the parties in the position they would have been had the contract been performed

#### **Task 2 (2 marks)**

It lies with the party who suffers the breach  
It reduces damages

#### **Task 3 (2 marks)**

£0

### **MTQ 47**

#### **Task 1 (2 marks)**

She has full liability for partnership debts

#### **Task 2 (2 marks)**

He remains liable to new customers who knew he was a member of the partnership, unless he declared his withdrawal

#### **Task 3 (2 marks)**

Eve, Dan and Clare

## MTQ 48

### Task 1 (2 marks)

Debentures secured by a fixed charge

### Task 2 (2 marks)

Preference shares

### Task 3 (2 marks)

Ordinary shares

## MTQ 49

### Task 1 (4 marks)

Ger	<b>Shadow director</b>
Kim	<b>De facto director</b>

### Task 2 (2 marks)

They owe fiduciary duties to the company

## MTQ 50

### Task 1 (2 marks)

Fraudulent trading	<b>Both civil and criminal</b>
Wrongful trading	<b>Civil only</b>

### Task 2 (4 marks)

Fran	<b>Wrongful trading (s. 214 Insolvency Act 1986)</b>
Gram	<b>Fraudulent trading (s. 213 Insolvency Act 1986)</b>