

## 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 the total voting rights of eligible members	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> <b>They have limited liability</b>	2
41	<b>Encouraging someone to engage in insider dealing</b> <b>Passing on inside information</b>	2
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> <b>It is issued by a parent company</b>	2

## 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
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## MTQ 48

### Task 1 (2 marks)

Debentures secured by a fixed charge
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### Task 2 (2 marks)

Preference shares
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### Task 3 (2 marks)

Ordinary shares
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## MTQ 49

### Task 1 (4 marks)

Ger	Shadow director
Kim	De facto director

### Task 2 (2 marks)

They owe fiduciary duties to the company
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## MTQ 50

### Task 1 (2 marks)

Fraudulent trading	Both civil and criminal
Wrongful trading	Civil only

### Task 2 (4 marks)

Fran	Wrongful trading (s. 214 Insolvency Act 1986)
Gram	Fraudulent trading (s. 213 Insolvency Act 1986)