

LAW OF CONTRACT: PROBLEM QUESTION EXAMPLE ANSWER EXERCISE

In this exercise, we are going to look at two (real!) example problem question answers from previous Law of Contract assessments. The aim is to think about what makes a good or bad answer to a problem question.

You will get more out of this exercise the more effort you put into it, so we recommend that you follow each of these steps in turn:

1. First, read the following two short problem questions, jot down some quick notes on how you would advise the parties in each question. (Both questions are from contract law assessments in recent years.)
 - a) Zachary deals in second-hand furniture under the trading name 'Filton Office Supplies' (FOS) from an industrial estate in Filton. He has 30 second-hand office desks in stock and advertises them for sale in the local free newspaper. The advert appears on Monday and reads '30 Bridport style office desks – as good as new – on sale for £500 total – collection from Filton Office Supplies – to be paid in full by cheque – first person to provide a cheque to receive desks.' The advert refers to FOS's website where further details of the desks can be found, together with FOS's contact details and address. On Tuesday, Paul posts a letter to FOS with a cheque for £500 and his address for delivery. Unfortunately, there is a postal strike, and his letter does not arrive until Friday morning.
 - b) Bertha inserts the following advert in her local newspaper, the Bristol Gazette: "Kayak for sale; in excellent condition; offers around £300. Contact Bertha, 32 Windsor Gardens, Bristol". After a week of no replies, Bertha eventually receives a letter from Albert which reads: "Would you be interested in £275 for your kayak?" This is written on Albert's headed notepaper and provides details of his business address, e-mail address, and mobile phone number. Convinced that she is unlikely to receive a better offer, Bertha sends an e-mail to Albert saying "£275 is fine."
2. Next, read the following answers to the questions. (These are real student answers which have been reproduced verbatim from the assessments. The authors have kindly permitted us to use them in this exercise. Neither is a perfect or model answer, and it should go without saying that copying these answers in an assessment would be a serious academic offence.)
3. Make some notes on each answer. How does it compare to your own answer to the question? Do you think it answers the question well or badly? Why? What would you add to the answer, take away, or do differently?

We will discuss these answers in our consolidation lecture on Wednesday 14 December. There will also be an opportunity to ask questions about them at an online Q&A session on Thursday 15 December.

We are planning to conduct a similar exercise, focusing on essay questions, at the end of TB2.

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Table of Contents Law Of Contract Model Answer

1. Understanding the eBook Law Of Contract Model Answer
 - The Rise of Digital Reading Law Of Contract Model Answer
 - Advantages of eBooks Over Traditional Books
2. Identifying Law Of Contract Model Answer
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in a Law Of Contract Model Answer
 - User-Friendly Interface
4. Exploring eBook Recommendations from Law Of Contract Model Answer
 - Personalized Recommendations
 - Law Of Contract Model Answer User Reviews and Ratings
 - Law Of Contract Model Answer and Bestseller Lists

5. Accessing Law Of Contract Model Answer Free and Paid eBooks
 - Law Of Contract Model Answer Public Domain eBooks
 - Law Of Contract Model Answer eBook Subscription Services
 - Law Of Contract Model Answer Budget-Friendly Options
6. Navigating Law Of Contract Model Answer eBook Formats
 - ePub, PDF, MOBI, and More
 - Law Of Contract Model Answer Compatibility with Devices
 - Law Of Contract Model Answer Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Law Of Contract Model Answer
 - Highlighting and Note-Taking Law Of Contract Model Answer
 - Interactive Elements Law Of Contract Model Answer
8. Staying Engaged with Law Of Contract Model Answer
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Law Of Contract Model Answer
9. Balancing eBooks and Physical Books Law Of Contract Model Answer
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Law Of Contract Model Answer
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Law Of Contract Model Answer
 - Setting Reading Goals Law Of Contract Model Answer
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Law Of Contract Model Answer
 - Fact-Checking eBook Content of Law Of Contract Model Answer
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning

- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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