




This presentation will refer back to the December paper based exam but the points made are applicable to all formats. It will focus on the F4 ENG exam as usual, but again the points made are equally applicable to the other F4 exams.

Structure of the new paper

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The F4 paper is now divided into two parts.

Section A contains 45 multiple choice questions (**MCQs**) of either 1 or 2 marks to a total of 70 marks. There are 25 x 2 marks and 20 1 mark questions.

Section B contains 5 multiple task questions (**MTQs**) each worth a total of 6 marks giving the normal overall total of 100 marks.

2 mark questions tend to be the more complicated and offer 4 potential answers for candidates, whereas 1 mark questions tend to be less complex and only offer 3

potential answers. All questions are compulsory and the exam time period is 2 hours.

Candidates' Performance

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Candidates overall performed well on Section B multi-task questions (MTQs).

However that part of the paper was more traditional than section A.

Candidates also performed extremely well on Section A.

Reflections on the impact of the new structure on candidates' performance

The two sections of the paper will be considered independently.

Section A

This purely knowledge part of the exam appears to have benefited the majority of candidates, who traditionally have been stronger in fact based questions than in legal analysis.

It would appear that candidates have benefited from the recognition that they will be examined over a wider spectrum of the curriculum rather than on, as previously, a specific aspect of the syllabus.

However, there is a downside for candidates, one that we did foresee and which was confirmed in the statistical analysis of the individual questions. The problem lies in the detailed knowledge now required by candidates and this relates not just to particular aspects of the syllabus but the whole syllabus

itself.

In relation to wrongful trading, the standard against which the conduct of directors will be assessed is which of the following?

A Purely subjective, depending on the actual skill of the director

B Purely objective, depending on what is expected of a director in that position

C A mixture of subjective and objective but only to increase potential liability

D A mixture of subjective and objective but only to reduce potential liability

(2 marks)

The answer to the question posed is in fact **C** and a surprisingly low percentage of candidates got this correct. Indeed C was the third most popular choice of answer with options B and D proving more popular and only A being less so.

Under the previous exam structure candidates would have been faced with a 10 mark question on the topic of wrongful trading with a specific element of the question referring to the precise nature of the director's duty of care. Consequently, marks would have been available for a general explanation of wrongful trading and the difference between objective and subjective standards of conduct. Depending on the quality of the answer, it is fair to say that candidates might well have been able to gain at least 7 marks without actually specifying with a high level of precision what the actual standard to be applied was. In this exam, there is simply no scope for general information: that is taken as a given and the question only looks for and rewards specific information about the required standard.

It might be argued that such a level of correct response indicates that the question was too difficult for candidates but the issue tested is of such

importance that it should be known and the fact that the majority of candidates were unable to discriminate accurately, reveals a significant weakness in their study.

Which of the following correctly applies to the burden of proof in a criminal case?

- A** It must be proved beyond reasonable doubt
- B** It must be proved on the balance of probabilities
- C** It lies with the prosecution
- D** It lies with the defence

This is not actually an obscure piece of law, but it is one that was unlikely to have been examined in such a stark right/wrong basis.

The correct answer is **C** but most candidates answered **A** as they confused burden and standard of proof. As a result an essential weakness in understanding was tested and candidates' performance was largely found to be wanting.

Section B

This element of the examination requires both analysis and application, which skills traditionally have not been to the forefront of candidates' abilities. At least to a degree, it has to be recognised that such weaknesses remain, but the new structure has gone some way to mitigate the consequences. Previously candidates were faced with an extended problem scenario, involving many

issues. Now scenarios are shorter, and questions are subdivided and more focussed. It is to be hoped that the less legalistically complex scenarios allow candidates to demonstrate the appropriate level of skills for non-law experts.

Problems that continue from the old structure

One unfortunate continuation is the prepared general answer to a highly specific question.

As regards section B, comment has been made that the model answers were too extensive and that candidates could not possibly be expected to provide such a level of detail. They weren't expected to.

Candidates were NOT expected to provide long answers, but many did produce overly long answers, ones that were actually much longer than the model answers and answers that really only addressed the core issue in the question.

For example some candidates continue to answer specific contract questions with general answers that cover every aspect of contract law from formation to remedies.

However, given the new format of the questions, hopefully it can only be a matter of time before candidates recognise the futility of such an approach.

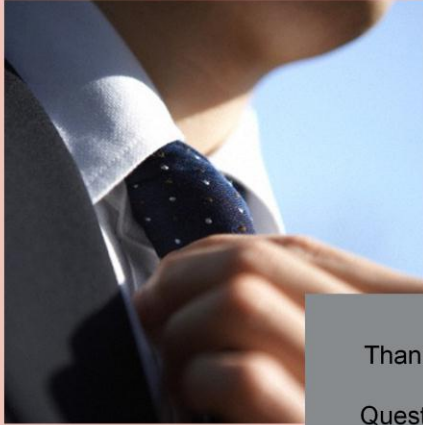
Conclusions and predictions

So overall the pass rate has gone up, but the reason for that success remains to be considered.

My suggestion is that the improvement has occurred because the structure and content of the exams now better suits the skills and abilities of the candidates.

We are examining potential accountants not potential lawyers so it is only fair that we should examine candidates as accountants not as law students.

As for predictions, I would expect future results to continue the improvement apparent in the recent exam.



Thank You
Questions?