



Examiner's report

F4 (ZAF) Corporate & Business Law For Paper Variant exams December 2016

General Comments

The examination consisted of two sections. Section A consisted of 45 compulsory multiple choice questions. Section B consisted of 5 compulsory, longer type questions (with sub-divisions). Section A was worth 70 marks and Section B 30 marks. Candidates had two hours to complete the examination paper.

Candidates are expected to be acquainted with the whole of the syllabus.

In Section A the majority of candidates performed satisfactorily. Candidates should have a sound knowledge of the syllabus to be able to answer these types of questions. It seems that most were able to do that.

In Section B the performance was also satisfactory. In previous years candidates tended not to answer questions in the order they are asked, but rather to attempt the questions they are more comfortable with first. This was mostly not the case this year.

A number of common issues arose in candidate's answers:

- Failing to read the question requirement clearly and therefore providing irrelevant answers which scored few if any marks.
- Inadequate time management between questions. Some candidates wrote far too much for some questions and this put them under time pressure to finish the remaining questions.

Many of the problems identified in previous Examiner's Reports were addressed during this session creating the impression that candidates learned from previous mistakes highlighted in the Reports.

Syllabus topics on which candidates performed well included the mutual mandate principle applicable to partnerships, insider trading and directors' duties. This has been an improvement to previous years. Syllabus topics on which candidates performed unsatisfactorily included remedies for a breach of contract.

Comments about Section A performance

Candidates generally performed well in this Section. It is important that candidates read these questions very carefully. Candidates need to make sure whether they should indicate the *correct* option or the *incorrect* option. They also need to pay attention to combination answers, where one or more of the statements given might be correct (or incorrect).

Candidates were unable to answer Questions 2, and 26. Please see below for some comments on Question 2, which counted 2 marks.

2 In the context of labour law, which of the following statements is/are correct?

- (1) Not all people who perform work for employers are covered by labour legislation
- (2) Employees and independent contractors are always protected by labour legislation
- (3) Regardless of the form of contract signed, it will be presumed that a person is an employee for purposes of labour legislation

A 1 only

B 2 only
C 1 and 3
D 3 only
(2 marks)

The correct answer is (C) as both (1) and (3) are correct. Statement (2) is not correct as independent contractors are not protected by labour legislation. It is unclear why candidates were not able to answer this question.

Comments about Section B performance

The majority of the candidates answered the questions asked in Section B in an acceptable manner. However, even though most candidates were able to answer the questions, detail was often lacking. Candidates also tend to provide unnecessary and irrelevant, although sometimes accurate, information. Candidates should read the questions carefully and only answer what was asked.

Conclusion

Performance of candidates relating to Section A and B of the December 2016 session was reasonable.

Most candidates made a reasonable attempt at every question.