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A close-up photograph of a hand holding a pair of black-rimmed glasses. The hand is positioned in the upper left, with the thumb and index finger gripping the bridge of the glasses. The background is a blurred office setting with papers and a desk.

**TAXATION –  
UNITED  
KINGDOM  
(TX-UK)**

**Read the mind  
of a TX-UK marker**

Think Ahead

# Contents

<b>INTRODUCTION</b>	<b>3</b>
<b>QUESTION – SAM, TAM AND UMA</b>	<b>4</b>
■ Question (updated to Finance Act 2020)	4
■ Observations on the requirements	5
<b>SUGGESTED SOLUTION (UPDATED TO FINANCE ACT 2020)</b>	<b>6</b>
<b>CANDIDATE 1 ANSWER</b>	<b>8</b>
■ Marks awarded	8
■ Notes on candidate one's answer	9
<b>CANDIDATE 2 ANSWER</b>	<b>11</b>
■ Marks awarded	11
■ Notes on candidate two's answer	12



## Introduction

**This article is designed to give you, the candidate, an insight into the mind of a marker, so that you can better understand what a marker will be looking for when it comes to marking your Taxation – United Kingdom script.**

Insight into a marker's thinking – appreciating what we are trained to look for, what we award marks for, the reasons why marks may not be awarded – will help you fulfil your potential and gain the necessary marks to pass.

It will help you appreciate the points that will attract marks so that you can better assess your answers when practising questions.

**INSIGHT INTO A MARKER'S THINKING – APPRECIATING WHAT WE ARE TRAINED TO LOOK FOR, WHAT WE AWARD MARKS FOR, THE REASONS WHY MARKS MAY NOT BE AWARDED – WILL HELP YOU FULFIL YOUR POTENTIAL AND GAIN THE NECESSARY MARKS TO PASS.**

This article uses two sets of candidates' answers to requirements selected from the September/December 2020 sample exam (to which Finance Act 2019 applied). To help students preparing for exams from June 2021 to March 2022, the question, published answer, and candidate answers have been updated to Finance Act 2020. After the March 2022 exam Finance Act 2020 will no longer apply, however, the marking insights communicated in this article, showing how marks are awarded, will remain valid regardless of changes to tax rates and allowances.

The relevant question and published answer, updated to Finance Act 2020, have been included in this article. You may find it interesting to refer to the published answer, noting the differences and comparing the length and style to the candidates' answers. It's important to remember that you don't need to replicate the published answer to achieve a pass.

The original September/December 2020 Sample exam questions and published answers, based on Finance Act 2019, are available from the [ACCA website](#).

## Question – Sam, Tam and Uma

Section C of the exam comprises one 10-mark, and two 15-mark, constructed response questions. The 15-mark questions focus on income tax (syllabus area B) and corporation tax (syllabus area E). Scenario 2 of the September/December 2020 sample exam is the 15-mark income tax question called Sam, Tam and Uma.

This question was based around a partnership which had been operating for many years, with one partner (Tam) retiring, and another partner (Uma) joining, during the tax year. Trading profits were provided for two years, and the original partners (Sam and Tam) both had overlap profits brought forward. Tam and Uma both have other income to be considered.

Although partnerships may not be examined as regularly as individuals, the basis period rules apply to each partner individually, so candidates should have been able to pick up reasonable marks as long as they used a careful approach to each partner's individual circumstances.

### QUESTION (UPDATED TO FINANCE ACT 2020)

Sam and Tam have been in partnership since 1 July 2007 preparing accounts to 30 June. Tam retired as a partner on 31 October 2020, with Uma replacing her as a partner on 1 November 2020.

Sam has always received an 80% share of the partnership's profits, with Tam and then Uma, receiving a 20% share.

The partnerships recent trading profits are as follows:

	£
Year ended 30 June 2020	137,500
Year ended 30 June 2021	132,000

Sam and Tam have unused overlap profits brought forward of £31,200 and £7,800 respectively.

#### Sam

For the tax year 2020-21, Sam does not have any other income apart from her 80% share of the partnership's profits.

#### Tam

In addition to her 20% share of the partnership's profits, for the tax year 2020-21 Tam was employed by XZQ plc between 6 April and 31 October 2020 and received pension income between 1 November 2020 and 5 April 2021. The following information is available for the tax year 2020-21:

1. From 6 April to 31 October 2020, Tam received a monthly gross salary of £3,400 from XZQ plc.
2. During the period 6 April to 31 October 2020, Tam contributed 5% of her monthly gross salary into XZQ plc's occupational pension scheme. XZQ plc contributed a further 10% on her behalf.
3. During the period 6 April to 31 October 2020, XZQ plc provided Tam with a diesel powered motor car which had a list price of £36,000 and an official CO<sub>2</sub> emission rate of 52 grams per kilometre. The motor car met the real driving emissions 2 (RDE2) standard. Tam was not provided with any fuel for private journeys.
4. XZQ plc provided Tam with an interest-free loan to purchase a motorbike. The balance of the loan outstanding at 6 April 2020 was £6,400, and Tam repaid the loan in full on 31 October 2020.
5. During the period 1 November 2020 to 5 April 2021, Tam received the state pension of £3,650 and a pension of £11,300 from XZQ plc's occupational pension scheme. These were the total gross amounts received.

#### Uma

In addition to her 20% share of the partnership's profits, Uma was employed by ABCD plc throughout the tax year 2020-21 as a marketing director. The following information is available for the tax year 2020-21:

1. Uma was paid a gross annual director's remuneration of £180,000 by ABCD plc.
2. During the tax year 2020-21, Uma paid interest of £2,100 (gross) on a personal loan taken out to purchase her share in the partnership.
3. During the tax year 2020-21, Uma received dividend income of £2,400.

**Requirements:**

(a) Calculate the trading income assessments of Sam, Tam and Uma for the tax year 2020-21. (5 marks)

(b) Calculate the taxable income of Sam, Tam and Uma for the tax year 2020-21.

**Note:** You should indicate by the use of zero (0) any items which are not taxable or deductible. (10 marks)

**15 MARKS**

**THE EXAMINER HAS EMPHASISED THE NEED FOR WELL LAID OUT ANSWERS, WITH HEADINGS, SO THAT WORKINGS CAN BE FOLLOWED BY MARKERS, AND WITH THE THREE PARTNERS BEING DEALT WITH SEPARATELY.**

**OBSERVATIONS ON THE REQUIREMENTS**

There are 5 marks available for **calculating** the trading income assessments of the three partners in part (a). This is the more difficult part of the question, with care being needed to consider each partner individually. It is not clear how the marks are split between the partners, however Sam has the most straightforward circumstances as she is a partner throughout the whole tax year, so the current year basis (or ongoing year rules) apply. As such, it is likely that there will only be 1 mark available for Sam, with the remaining 4 marks relating to Tam and Uma.

As Tam retires from the partnership during the tax year, the cessation rules apply, and relief for overlap profits is available. As Uma joined the partnership during the tax year, the opening year rules (or commencement rules) apply.

The examiner has emphasised the need for well laid out answers, with headings, so that workings can be followed by markers, and with the three partners being dealt with separately.

Part (b) was more straightforward, with calculations of the taxable income required for each partner for 10 marks. It follows on directly from part (a), with three very easy 0.5 marks available for correctly bringing forward the relevant trading income assessment from part (a). Even if the trading income assessments calculated in part (a) are incorrect, follow through marks are awarded for bringing forward the correct figures based on your own calculations, so that you are not penalised for an earlier mistake. The examiner encourages neatly laid out answers, to ensure that it is easy to pick the correct figures from earlier parts.

Although straightforward, candidates still had to read the scenario carefully to ensure they picked up all the relevant information for each partner, and remember to consider whether the personal allowance is affected by their level of income.



## Suggested solution (updated to Finance Act 2020)

TOTAL MARKS: 15/15

Published Answer updated to FA 2020	Marks
<b>1(a) Trading income assessments</b>	
<b>£</b>	
<b>Sam</b>	
Year ended 30 June 2020	
137,500 x 80%	1
<u>110,000</u>	
<b>Tam</b>	
Year ended 30 June 2020	
137,500 x 20%	1
27,500	
Year ended 30 June 2021	
132,000 x 4/12 x 20%	1
8,800	
Relief for overlap profits	1
<u>(7,800)</u>	
<u>28,500</u>	
<b>Uma</b>	
Year ended 30 June 2021	
132,000 x 5/12 x 20%	1
<u>11,000</u>	
<i>Tutorial notes:</i>	<b>5/5</b>
(1) <i>The cessation rules apply to Tam because she left the partnership on 31 October 2020. For 2020-21, she is assessed on her share of the profits for the year ended 30 June 2020 and the four-month period 1 July to 31 October 2020.</i>	
(2) <i>The commencement rules apply to Uma because she joined the partnership on 1 November 2020. For 2020-21, she is assessed on her share of the profits for the five-month period 1 November 2020 to 5 April 2021.</i>	

**Published Answer updated to FA 2020**
**Marks**
**(b)**
**Sam – Taxable income 2020-21**

	£	
Trading profit	110,000	0.5
Personal allowance		
12,500 – 5,000 ((110,000 – 100,000)/2)	<u>(7,500)</u>	1.5
Taxable income	<u>102,500</u>	

**Tam – Taxable income 2020-21**

	£	
Trading profit	28,500	0.5
Employment income		
Salary (3,400 x 7)	23,800	0.5
Pension contributions – Employee (23,800 x 5%)	(1,190)	0.5
– Employer	0	0.5
Car benefit (36,000 x (13% + 0%) x 7/12)	2,730	1.5
Beneficial loan	0	0.5
Pensions (3,650 + 11,300)	<u>14,950</u>	1
	68,790	
Personal allowance	<u>(12,500)</u>	0.5
Taxable income	<u>56,290</u>	

*Tutorial notes:*

- (1) There is no 4% surcharge for Tam's diesel car because it met the real driving emissions 2 (RDE2) standard. Company diesel cars meeting this standard are treated as if they are petrol cars.
- (2) There is no taxable benefit in respect of Tam's interest free loan as it does not exceed the de minimis limit of £10,000 during the tax year.

**Uma – Taxable income 2020-21**

	£	
Trading profit	11,000	
Director's remuneration	180,000	0.5
Dividend income	2,400	0.5
Interest paid	<u>(2,100)</u>	0.5
	191,300	0.5
Personal allowance	<u>0</u>	
Taxable income	<u>191,300</u>	0.5

*Tutorial note: No personal allowance is available because Uma's adjusted net income of £191,300 exceeds £125,000.*
**10/10**

## Candidate 1 answer to Sam, Tam and Uma

TOTAL MARKS: 10.5/15

Candidate 1 answer FA 2020		Marks awarded	Notes
<b>1(a)</b>			
<b>Sam</b>			
	£		
Current year basis			
Year ended 30.6.20 - 137500 x 80%	110,000	0.5	1
Overlap profits	<u>(3,120)</u>		
Trading income for 2020/21	<u>106,880</u>		
<b>Tam</b>			
Closing year - basis period 1.7.19 – 31.10.20 (137500 x 20%) + (132000 x 4/12 x 20%)	36,300	2	2
Overlap profits	<u>(7,800)</u>	1	
Trading income for 2020/21	<u>28,500</u>		
<b>Uma</b>			
Opening year - basis period 1.11.20 – 5.4.21 137,500 x 5/12 x 20%	<u>11,458</u>	0.5	3
		<b>4/5</b>	<b>4</b>
<b>(b)</b>			
<b>Sam</b>			
	£		
Trading profit	106,880	0.5	5
Personal allowance	<u>(12,500)</u>	0.5	6
	<u>94,380</u>		
Tax			
37500 x 20%	7,500	0	7
56880 x 40%	<u>22,752</u>	0	
Income tax	<u>30,252</u>		
<b>Tam</b>			
	£		
Trading profit	28,500	0.5	5
Salary (3400 x 7)	23,800	0.5	8
Pension contributions – Employee (23800 x 5%)	(1,190)	0.5	9
– Employer (23800 x 10%)	2,380	0	10
Car benefit (36000 x 17% x 7/12)	3,570	1	11
Pensions	<u>11,300</u>	0.5	12
	68,360		13
Personal allowance	<u>(12,500)</u>	0.5	14
	<u>55,860</u>		
Tax			
37500 x 20%	7,500	0	7
18360 x 40%	<u>7,344</u>	0	
	<u>14,844</u>		
<b>Uma</b>			
	£		
Trading profit	11,458	0.5	5
Director's remuneration	180,000	0.5	15
Dividend income (2400 – 2000)	400	0	16
Interest paid	<u>(2,100)</u>	0.5	17
	<u>189,758</u>		
No PA		0.5	18
Tax			
37500 x 20%	7,500	0	7
112500 x 40%	45,000	0	
39758 x 45%	<u>17,891</u>		
	<u>70,391</u>		
		<b>6.5/10</b>	



## NOTES ON CANDIDATE ONE'S ANSWER TO SAM, TAM AND UMA

### Note 1

The trading income assessment for Sam is incorrect, as some overlap profits have incorrectly been deducted (albeit an incorrect figure for overlap profits, which have presumably been lifted incorrectly from the question or mis-typed). In the case of a partnership, overlap profits can only be deducted when a partner leaves the partnership, in which case that individual ceases trading, or if the whole partnership business ceases, in which case all partners cease trading and relief is available for any overlap profits. Only 0.5 mark of the 1 mark available is awarded to this candidate due to offsetting overlap profits.

### Note 2

As Tam has left the partnership, her basis period includes the year to 30 June 2020 and the four-month period to 31 October 2020. This candidate has combined the calculations of these two periods into one line, which is fine provided they are careful. However, it is easier to make a calculation error this way, so it would have been better to write down the answer to each calculation in a separate line, like in the suggested solution, to ensure that the marker can award all available marks for using the correct figures. The full 2 marks available were awarded to this candidate, as they had calculated the amount correctly. Tam's unused overlap profits brought forward can be relieved on cessation, so are deducted from this amount to gain the final 1 mark available for Tam.

### Note 3

This candidate has taken the time to write out the basis period for each partner. This is helpful for the clear workings, however there are no extra marks available for writing the actual basis periods, as they were not asked for in the requirement, which was only to calculate the trading income assessment. As such, full marks could be achieved in this part of the question without stating the basis periods, as the candidate has demonstrated knowledge of the basis periods by getting the correct answers. However, some other questions may state that the basis periods or tax years should be stated, so candidates should always read the requirements carefully to ensure they answer it fully, and do not spend any time on unnecessary work.

### Note 4

The commencement rules apply to Uma as she joined the partnership during the tax year 2020-21. Despite stating the correct basis period, the candidate has incorrectly picked the profits for the accounting year to 30 June 2020, rather than 30 June 2021. As such, only 0.5 mark of the 1 mark available was awarded here. This may have been accidental, rather than misunderstanding which year should be used, however this demonstrates that candidates must be careful to ensure they lift the correct figures from the question.

### Note 5

There are three very easy 0.5 marks available for bringing in the correct trading profit for each partner as calculated in part (a). The 'own figure rule' applies here in that these 0.5 marks are based on the candidate's calculations, so that a candidate is not penalised again for any earlier mistakes, provided they bring in the correct figure from their own calculations. This candidate has been awarded the three 0.5 marks available.

### Note 6

This candidate has missed the restriction of the personal allowance for Sam due to income being above £100,000. As such, only 0.5 mark, of the 1.5 marks available, have been awarded for the personal allowance of £12,500.

### Note 7

This candidate has calculated the tax liability for all three partners, which was not required. The requirement was only to calculate taxable income. As such, despite the fact that the majority of the calculations are correct (based on the candidate's own figures), there are no marks available for any of these calculations. This will have wasted a lot of valuable time in the exam, especially given it is three separate additional calculations, and the candidate could have spent this time on another question. Candidates must read the requirements carefully, and understand the terminology used, to ensure that they do not go beyond what is required in a question.

### Note 8

The 0.5 mark available for correctly bringing in 7 months of salary has been awarded.

[BACK TO ANSWER](#)

**Note 9**

The 0.5 mark available for correctly deducting 5% of the salary for employee pension contributions has been awarded.

**Note 10**

This candidate has incorrectly included the employer pension contributions as taxable income for Tam. The employer contribution is not taxable income, nor should it be deducted from taxable income. It should have been shown in the calculation with a zero to indicate that it is not taxable or deductible. As such the 0.5 mark available was not awarded here.

**Note 11**

There are 1.5 marks available for the car benefit. As the car met the real driving emissions 2 (RDE2) standards, the 4% surcharge for a diesel car is not required, as it should be treated the same as a petrol car. In this question, since there was no choice of cost figure these marks would be awarded as two 0.5 marks for the correct calculation of the percentage for the taxable benefit, and 0.5 mark for the correct pro-rating due to the car only being available for part for the tax year. The two 0.5 marks available for the percentage, would be 0.5 for the 13% and 0.5 for correctly not adding the 4% surcharge. This candidate has added the 4% diesel surcharge, resulting in the incorrect taxable benefit percentage, and so has missed 0.5 mark, with 1 mark being awarded for the car benefit.

**Note 12**

The state pension and occupational pension are both taxable income. This candidate has only included the occupational pension as taxable income, and has omitted the state pension, which would suggest they may have thought it was not taxable. As such, only 0.5 mark has been awarded for the pension income, of the 1 mark available.

**Note 13**

This candidate has neglected to mention the beneficial loan. The loan is not taxable as it is under the de minimis limit of £10,000, however the note to the requirement clearly states that any items which are not taxable or deductible must be included in the calculation with a zero. The purpose of this instruction is to be able to

differentiate between candidates who have missed something from the question, compared to those who correctly know that an item is not taxable or deductible. By stating the item with a zero, the candidate is demonstrating the correct knowledge without having to write an explanation. As this candidate has completely omitted the beneficial loan, the 0.5 mark available has not been awarded. Candidates must read the requirements and notes carefully to give them the best chance at picking up all available marks.

**Note 14**

The 0.5 mark available for the personal allowance has been awarded.

**Note 15**

The 0.5 mark for the director's remuneration has been awarded.

**Note 16**

This candidate has included the dividend income as taxable, however they have incorrectly deducted the dividend nil rate band of £2,000 from the amount included as taxable income. As such, the amount included as taxable income is incorrect, and so the 0.5 mark available has not been awarded.

**Note 17**

The loan interest has been correctly deducted from taxable income, and the 0.5 mark available has been awarded.

**Note 18**

This candidate has not included the personal allowance for Uma with a zero, as they should have, however they have stated that there is no personal allowance available. As such, the 0.5 mark available has been awarded, however they should have included this as a zero in the calculation, which is clearer and easier for the marker to see to ensure the mark is awarded.

**This candidate's overall mark for this question is 10.5/15. This is 70% for the question, however they wasted a substantial amount of time writing out unnecessary calculations.**

[BACK TO ANSWER](#)

## Candidate 2 answer to Sam, Tam and Uma

TOTAL MARKS: 9.5/15

Candidate 2 answer FA 2020	Marks awarded	Notes
<b>1(a)</b>		
137,500 x 80%	1	1
137,500 x 20%	1	
132,000 x 4/12	0.5	2
132,000 x 6/12 x 20%	0.5	3
	<b>3/5</b>	
<b>(b)</b>		
Sam		
Trading profit	0.5	4
PA – ((110,000 – 100,000)/2)	1	5
Tam		
Trading profit	0	4
Salary (3,400 x 12)	0	6
Pension contributions (40,800 x 5%)	0.5	7 & 8
Car benefit (36,000 x 13%)	1	9
Beneficial loan (W1)	0	10
Pensions (3,650 + 11,300)	1	11
		12
PA	0.5	13
Taxable income		
<u>Working 1:</u>		
Average		
6,400 + 0 = 6,400/2 = 3,200 x 2.25% = 72		10
Strict	0	
6,400 x 6/12 = 3,200 x 2.25% = 72		
Uma		
Trading profit	0.5	4
Director's remuneration	0.5	14
Dividend income	0.5	15
Interest paid	0	16
PA	0.5	17
	<b>6.5/10</b>	

## NOTES ON CANDIDATE TWO'S ANSWER TO SAM, TAM AND UMA

### Note 1

The trading income assessment for Sam is correct, with the correct year being used and the correct partnership profit percentage, so the full 1 mark available is awarded.

### Note 2

This candidate has correctly identified the basis period, however has missed the 20% partnership share for the period 1 July 2020 to 31 October 2020. As such, 1 mark is awarded for the calculation of the year ended 30 June 2020, but only 0.5 mark for the four-month period to 31 October 2020 due to missing the partnership percentage. This candidate has also missed that Tam's unused overlap profits brought forward can be relieved on cessation, missing another full mark, so only achieving 1.5 of the 3 marks available for Tom.

### Note 3

This candidate has used the correct accounting profit and the correct partnership percentage, however they incorrectly pro-rated by 6 months instead of 5. As such, the candidate received 0.5 mark for the correct profits and percentage, but missed 0.5 mark for the pro-rating.

The candidate achieves a pass within requirement (a), however they may have benefited from providing clearer answers and including headings, as if they had made any further mistakes it could have been difficult for the marker to determine which calculation related to which partner.

### Note 4

This candidate has missed one of the easy 0.5 marks available for bringing in the correct trading profit for each partner as calculated in part (a). The 0.5 marks for Sam and Uma have been awarded, however the candidate has incorrectly used Uma's assessable income for Tam. Although the 'own figure rule' means that earlier mistakes are not penalised, in this case the candidate has brought the wrong figure forward, so cannot achieve the 0.5 mark for Tam.

### Note 5

This candidate has attempted to restrict the personal allowance, however instead of deducting the restriction from the personal allowance of £12,500, they have deducted the restriction itself. There are 1.5 marks available for the restriction of the personal allowance. As the actual personal allowance of £12,500 has been omitted and the restriction itself deducted from the income, only 1 mark has been awarded to this candidate.

### Note 6

The 0.5 mark available for the salary has not been awarded to this candidate, as they have included a full 12 months of salary, rather than 7 months. Candidates must read the scenario carefully to ensure they correctly pro-rate any income or expenses.

### Note 7

Although the candidate has incorrectly calculated the salary, they have been awarded the 0.5 mark for the deduction of the employee pension contributions based on the 'own figure rule'.

### Note 8

This candidate has not mentioned the employer pension contributions. It is correct not to deduct them from the income, however the note to the requirement clearly states that any non-taxable or non-deductible amounts should be included as a zero, which demonstrates understanding of the correct treatment without having to write an explanation. This also differentiates candidates with this understanding from those who have simply forgotten to include something in the answer. As such, the 0.5 mark was not awarded to this candidate, as they omitted the employer contributions entirely.

### Note 9

This candidate has calculated the correct taxable percentage for the car benefit, and has correctly not added the 4% diesel supplement, given the car meets used the real driving emissions 2 (RDE2) standards. However, they have forgotten to pro-rate the benefit due to the car only being available for use for part of the tax year, and so only 1 mark of the 1.5 marks available for the car benefit have been awarded.

### Note 10

This candidate has calculated the benefit on the beneficial loan, using both the average method and strict method, despite the loan being under the £10,000 de minimis limit. As such, they have incorrectly included a small taxable benefit, and wasted time doing the two unnecessary calculations, and missed the 0.5 mark available for being aware of the de minimis limit.

[BACK TO ANSWER](#)



**Note 11**

Both the state pension and the occupational pension have been included as taxable, so the full 1 mark available has been awarded for the pension income. There is an arithmetic error in the addition of the two pension amounts, however given that the candidate has included their workings clearly stating both pension amounts, the full mark has still been awarded here. This shows the importance of including clear workings to allow markers to award the correct marks for understanding.

**Note 12**

The arithmetic is incorrect for income. This error has not been penalised as there is no negative marking. However, it shows that numbers have been typed into the spreadsheet cell, as the candidate has missed the car benefit from the calculation. Candidates should be careful when calculating totals, as they may be used later in the question and could have an impact on other things, such as the availability of the personal allowance. Using simple CBE functionality, like SUM, not only avoids introducing careless human errors but will automatically change if you add a line of computation or change an amount.

**Note 13**

The 0.5 mark for the personal allowance has been awarded.

**Note 14**

The 0.5 mark for the director's remuneration has been awarded.

**Note 15**

The 0.5 mark for the dividend income has been awarded.

**Note 16**

The loan interest on the personal loan taken to purchase the partnership, has mistakenly been added to income, instead of deducted. Candidates must read the scenario carefully to make sure they understand whether something is income or a deduction, and they must be careful to either ensure they include deductions as a negative amount, or alternatively deduct them in the calculation. It is safest to enter them as a negative amount, allowing the SUM formula to be used, as this is clearest for the marker to see. The 0.5 mark for the loan interest has not been awarded.

**Note 17**

The 0.5 mark for including the personal allowance as zero has been awarded, as this shows understanding that the personal allowance is not available due to the level of income.

**This candidate's overall mark for this question is 9.5/15.**

[BACK TO ANSWER](#)



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