

SECTION 1

Look at the groups of words below. In each group, three of the words belong together and there is one word that does not belong. **Put a circle around the word that is the odd one out.** Do NOT circle more than one answer for each group.

There is an example at the beginning (*).

(5 points)

Example

- (*) **A.** *plaintiff* **B.** *litigant* **C.** *lawyer* **D.** *claimant*
- (1) **A.** *premises* **B.** *tenant* **C.** *buildings* **D.** *real property*
- (2) **A.** *appoint* **B.** *employ* **C.** *take on* **D.** *dismiss*
- (3) **A.** *liquidation* **B.** *merger* **C.** *acquisition* **D.** *takeover*
- (4) **A.** *hold* **B.** *convene* **C.** *call* **D.** *notice*
- (5) **A.** *sue* **B.** *damages* **C.** *injunction* **D.** *specific performance*

SECTION 2

Look at the sentences below. Each sentence contains a mistake. The mistake is either an incorrect word or a word that should not be there. **Put a circle around the word.** Do NOT circle more than one answer for each sentence.

There is an example at the beginning (*).

(5 points)

Example

(*) The considering for the sale of the business is £60,000 including all of the stock.

- (1) I qualified to a lawyer five months ago.
- (2) The bank will charge you interests on the loan at a rate of 4.5%.
- (3) The judge awarded the claimant £250,000 in damage.
- (4) I am not able to do with this matter as I do not know that area of law.
- (5) I would like to accept your offer to sale your car to me for £5000.

SECTION 3

Read the following pairs of sentences. For each pair of sentences there are two possibilities, A or B. Decide which sentence uses the correct preposition. **Write your answers in the box below.**

There is an example at the beginning (*).

(5 points)

Example

- (*) (A) *Please sign the agreement and return it to me by Friday 2 April.*
(B) *Please sign the agreement and return it to me until Friday 2 April.*

- (1) (A) The company dismissed her with gross negligence.
(B) The company dismissed her for gross negligence.

- (2) (A) You must repay this amount to full by 31 December 2012.
(B) You must repay this amount in full by 31 December 2012.

- (3) (A) How long will you stay at London?
(B) How long will you stay in London?

- (4) (A) Did you sign any of these documents under duress?
(B) Did you sign any of these documents in duress?

- (5) (A) I would prefer to repay the loan in instalments.
(B) I would prefer to repay the loan with instalments.

(*) A	(1)	(2)	(3)	(4)	(5)
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SECTION 4

Look at the article below. Read it and decide if the statements under it are **TRUE** or **FALSE**. Write your answers in the box below.

There is an example at the beginning (*).

(5 points)

A newly qualified lawyer made news recently when he began a landmark legal battle to force banks to repay millions of pounds in bank charges to their customers. Tom Brennan, a lecturer's son from London, was furious when his bank charged him a total of £2500 over several years. The charges were for exceeding his overdraft limit. At that time Tom was struggling to meet day-to-day expenses during his training as a barrister. He argued that the bank charges, which were up to £38 every time he exceeded his overdraft limit, were unlawful. This is because, in reality, it costs a bank only £2.50 every time a customer exceeds his or her overdraft limit.

Mr Brennan said that after he started the case the bank refunded the charges, putting them into his account "without my permission, without any explanation and against my express wishes" and then closed his account. But he also claimed that the bank failed to pay £37 due to him in interest and therefore should not be allowed to say that it made a full refund. He refused an offer of a £4000 out-of-court settlement and said that he would decline all offers.

Example

(*) *Tom Brennan is a barrister.*

- (1) The bank owes Tom Brennan millions of pounds.
- (2) Tom Brennan's father is a lecturer.
- (3) Tom Brennan had an overdraft of £2500.
- (4) Tom Brannan claimed that the bank charged customers more than £38 each time they went over their overdraft limit.
- (5) The bank offered to pay Tom £4000 to end this dispute.

(*) TRUE	(1)	(2)	(3)	(4)	(5)
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SECTION 5

Here is a conversation between a lawyer and the Human Resources Manager of the same law firm. The conversation is mixed up. **Put the conversation in the correct order. Write your answers in the boxes numbered 1 – 8 below.**

There is an example at the beginning (*), which is the start of the conversation.

(8 points)

Example (*)

(AA) *Hi Sarah. How's life in the HR department?*

- (A) That's quite a lot of questions and answers to get through! Which department is recruiting?
- (B) Hmm, I'm not sure if I'd like to do that sort of law. How many years experience do you want the lawyer to have?
- (C) I have to interview five lawyers who want to join this firm. There were lots of applicants, but after I read their CVs, I shortlisted these five people.
- (D) Not bad thanks. I've got a busy day ahead of me though.
- (E) Insolvency. Because of the recent interest rate rises there are a lot of personal and company insolvencies and we need another lawyer.
- (F) Well, good luck with the interviewing. I hope you find the right person. See you later.
- (G) Oh, just newly qualified, or up to one year PQE. There are already enough senior lawyers in that department.
- (H) Really? What are you doing?

(*) AA	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
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SECTION 6

Look at the following phrases at the top of the page. They all belong to an area of law. **In the lists below, put each phrase under the correct area of law. Write the letters (A,B,C, etc) in the spaces provided.**

There is an example at the beginning (*).

(12 points)

Example (*)

(AA) *to pay a fee to Companies House*

- | | |
|---|--|
| (A) to draft the termination clause | (G) to issue shares |
| (B) to appoint directors | (H) to define particular words |
| (C) to take details of the matter | (I) to request identification |
| (D) to explain your professional charges | (J) to refer to an attached schedule |
| (E) to use a drafting precedent | (K) to take instructions |
| (F) to receive a certificate of incorporation | (L) to draft the Articles of Association |

Setting up a new company

(*) ...AA.....

1.

2.

3.

4.

Drawing up a contract

5.

6.

7.

8.

Advising a new client

9.

10.

11.

12.

SECTION 7

Look at the list of words. They are all adjectives. **Put the correct word into the sentences below. Write your answers in the boxes numbered 1-10 below.**

There is an example at the beginning (*).

(10 points)

- (AA) *savings* (C) *material* (F) *legal* (I) *sleeping*
(A) *unforeseeable* (D) *unanimous* (G) *annual* (J) *binding*
(B) *market* (E) *non-negotiable* (H) *eligible*

Example

(* **AA** *She opened a (*) account at the bank and each month she makes a deposit of £100.*

- (1) My client is not willing to discuss or change clause 8 of the contract. That clause is (1)
- (2) I would like to apply for the position of (2) secretary. I have an excellent track record in all aspects of office and secretarial duties.
- (3) This breach of contract is not minor but is a (3) breach, which gives the injured party the right to terminate the agreement, while a minor breach does not.
- (4) The shareholders gave their (4) consent to the sale of assets that the company no longer uses.
- (5) A (5) partner is someone who contributes capital to a partnership, but does not take part in running the business.
- (6) The (6) value of a share is the amount that a person has to pay to the company for the purchase of that share.
- (7) Something that takes place once a year is an (7) event.
- (8) Your client entered into a (8) contract and must abide by its terms.
- (9) Something that cannot be anticipated is, under the law of contract, described as being (9)
- (10) You are (10) to apply for a loan with the bank as you are over 18 years old and you have a full time job.

(*) AA	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
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SECTION 8

Read the text below. It is from the conditions of use of a printer and its computer software. Some of the words or phrases in the text are underlined. The meanings of these words or phrases appear in the box below, but they are not in the same order. **Match the underlined words in the text with the correct meanings by writing the letters (A, B, C etc) in the box below.**

There is an example at the beginning (*).

(10 points)

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(*) AA	<i>kept</i>
	previous
	people who are not either of the parties to this agreement
	in this agreement
	follow, meet with, satisfy
	method
	legally responsible
	chosen, selected, marked
	incorrect use
	harm
	financial compensation

SECTION 9

Read the text below. There are ten words missing from the text. **In the spaces below, give the missing words.** The first letter of each word has been provided for you.

There is an example at the beginning (*).

(20 points)

PERSONAL BANKRUPTCY

Someone who owes money to another person is known as a (*) Many people have debts and most people manage to pay back those debts over the agreed period of time. But recently, especially in Europe, Australia and the USA, rising interest (1) mean that more and more people are finding that they cannot pay back their debts. So what can they do? One possible (2) for these people is bankruptcy.

When a person becomes bankrupt he or she has to make a list of everything he or she owns. These things are called (3) The bankrupt person also makes a list of everything he or she owes. These things are called liabilities. A trustee is then appointed, who takes control of all of the bankrupt's property. The trustee sells the property and uses the money from the sale, known as the (4) of sale, to pay the people who are owed money. These people are formally known as the bankrupt person's (5)

During bankruptcy, there are many (6) on a bankrupt person, who is usually described as a 'bankrupt', which will limit his or her freedom. For example, a bankrupt will not be able to get credit during the bankruptcy. Even when the bankruptcy is discharged, (7) will be reluctant to offer credit to potential borrowers who they know to have a bad credit history. A bankrupt may not be allowed to work in certain occupations, including being a lawyer, during the term of the bankruptcy. They are also not allowed to be a (8) of a company. In many jurisdictions, a bankrupt is not allowed to travel overseas during the bankruptcy without the (9) of the trustee.

So why do people choose to become bankrupt? Well, bankruptcy is a way of allowing the debtor to make a fresh start. However, each individual considering bankruptcy will need to think about the advantages and (10) of this route.

(*) debtor

(1) r

(6) r

(2) o

(7) l

(3) a

(8) d

(4) p

(9) p

(5) c

(10) d

SECTION 10

Read this newspaper article and answer the questions that follow. **Answer each question using a full sentence. No points are awarded for answers that are not a full sentence.**

There is an example at the beginning (*).

(20 points)

E-MAIL TRACKING – A BREACH OF HUMAN RIGHTS

A college worker in Wales successfully sued her employer for breaching the European Convention on Human Rights when she discovered that her employer was monitoring how much she used the internet at work. Her employer was also watching or 'tracking' all the e-mails she sent at work.

Lynette Copland, who worked as an assistant to the principal of a college in West Wales, discovered that her employer was tracking the places she went to on the college campus, the people she e-mailed and the websites she visited. She was the only employee who was monitored in this way and this upset Ms Copland. She told the court, "I have no objection to an employer monitoring me when I know about it. Also, if an employer decides to monitor all of its employees, that is not a problem. But to select just one person for monitoring is surely an injustice."

Ms Copland told the court she did not have a good working relationship with the college's deputy principal, Mr Wrentmore, the man who started the campaign that lasted for 18 months. Ms Copland believes Mr Wrentmore wanted to find something negative about her. The European Court of Human Rights was told that the dates and times of her telephone calls and the numbers she rang were monitored, along with the dates and duration of her visits to websites and the details of her e-mail correspondence. The college said that the reason for this was to see whether Ms Copland was using college facilities too much for her own personal use.

The court ruled that in collecting and storing Ms Copland's personal information without her knowledge, the college had interfered with her "right to a private life". The court also held that the actions of the college were in breach of Ms Copland's right to privacy and ordered it to pay Ms Copland compensation of 9000 Euros.

The Human Rights organisation that acted for Ms Copland, said it had brought the case in Strasbourg because, at that time, there was no statutory right to privacy under British law, and the Data Protection Act, in the form that it existed then, did not cover the college's actions.

A leading employment law specialist said that this case "reinforces the notion that there are restrictions on an employer's right to monitor their employees internet usage and they can't assume they have carte blanche to behave the way they like".

Ms Copland, 57, is still employed by the college and said she was very satisfied with the judgment. Mr Wrentmore has since died.

SECTION 10 - QUESTIONS

Example () What is the name of the person who took legal action against her employer?*

The name of the person is Lynette Copland.

- (1) Why did Lynette Copland take legal action against her employer?
- (2) What was Lynette Copland's job?
- (3) How many other employees were being monitored?
- (4) Who started the campaign against Ms Copland?
- (5) How long were Ms Copland's e-mails being tracked?
- (6) What reason did the college give for monitoring Ms Copland in this way?
- (7) How much money did the court award Ms Copland in compensation?
- (8) What right did the court say the college was in breach of?
- (9) Why didn't the Human Rights organisation acting for Ms Copland bring the case in Britain?
- (10) Where does Ms Copland work now?