



**Business
Leaving Certificate
Ordinary Level**

**Past Exam Questions on
Consumer Protection and Legislation**

Q1 Section 2 2013

Read the information supplied and answer the questions which follow:



Jim & Cliona McCarthy booked a two-week family holiday to Portugal with Sunhols costing €1,800. On arrival they discovered that the apartment, which was advertised on the website as overlooking the beach, was actually three kilometres inland. They had been informed by the sales assistant that there was a restaurant on site but this was not the case. They were very disappointed when they realised that the 'Kids Club' which they read about in the company's brochure as being open from June to August, did not open until July.

Cliona complained to Sunhols when she returned home, but they said it was not their responsibility. Cliona then contacted the National Consumer Agency (NCA) about her rights, and they advised her to take her case to the Small Claims Court.

- (A) Explain how Sunhols has broken the terms of the Consumer Protection Act, 2007. (15 marks)
- (B) Outline two functions of the National Consumer Agency (NCA). (15 marks)
- (C) Outline three advantages for Cliona of bringing her case to the Small Claims Court. (20 marks)

Employment Equality Act, 1998

Pavel Zachwieja applied for a promotion in Reddon Ltd. He worked for the company for four years and was qualified in Production Management. The promotion was given to John Clancy, who had only worked in the company for six months and had no management qualification. Pavel believed he was not given the job because he is not Irish.

- (D) List three grounds on which discrimination is outlawed under the Employment Equality Act, 1998. (15 marks)
- (E) Outline the role of the Equality Tribunal in assisting Pavel with his discrimination case. (10 marks)
(75 marks)

Q1 Section 2 2012

Read the information supplied and answer the questions which follow.

Joe saw an advertisement in the local newspaper for a second-hand car which was for sale in Murray's Garage. The advertisement stated that the car was four years old and had only 32,000 kilometres on the clock. He went to view the car, spoke to the garage owner Michael and took the car for a test drive. They agreed the price of € 9,000 and signed all the relevant documentation.

Murray's Garage
4 YEAR OLD CAR
FOR SALE
32,000 Kilometres
ONLY €9,000

- (A) Joe and Michael entered into a contract. What is a contract? (10 marks)
- (B) Offer, Acceptance, Consideration, and Consent to Contract are elements of a valid contract. Explain any **three** of these elements. Illustrate your answer with reference to the above text. (25 marks)
- (C) A contract can be terminated (ended) by Performance or Frustration. Explain the underlined terms. (15 marks)

Joe's brother Oliver, a qualified mechanic, returned to Ireland on holidays from the USA three weeks later. He checked out Joe's car and discovered that the reading on the clock was incorrect and that the car had actually travelled 62,000 kilometres. Joe went back to Murray's Garage to complain about the incorrect clock reading, but did not receive any satisfaction. He decided to contact the National Consumer Agency.



- (D) (i) Explain how Murray's Garage broke the terms of the Consumer Protection Act, 2007. (10 marks)
- (ii) Outline two functions of the National Consumer Agency. (15 marks)
- (75 Marks)

Q14 Section 1 2011

14. Outline two advantages of the Small Claims Court for the consumer.

- (i) _____

- (ii) _____

Q1 Section 2 2011

Read the information supplied and answer the questions which follow:

*Paula McCarthy received a birthday present of a new mobile phone from her parents.
After one week Paula discovered that the volume control on her mobile phone did not work properly and the phone had to be recharged several times a day.
Her parents told her that they had bought the phone in FonesToGo and they gave her the receipt.
Her friend Mike, who had studied Business at school, explained to Paula that under the law she had the right to get a phone that was of merchantable quality, fit for its purpose and that she was entitled to redress.*

- (A) (i) Name the law that protects Paula McCarthy in this case. (10)
(ii) Explain what Paula should do to try to solve the above situation. (15)
(iii) Explain the **three** underlined terms ‘**merchantable quality**’, ‘**fit for its purpose**’ and ‘**redress**’, with reference to Paula’s situation. (25)

The Employment Equality Act 1998 outlawed discrimination in the workplace and established the Equality Authority.

- (B) (i) List **three** grounds on which discrimination is unlawful under this Act. (15)
(ii) Outline the role of the Equality Authority. (10)

(75 marks)

Q1 Section 2 2010

Read the information supplied and answer the questions which follow.

Tom and Mary Burke purchased a washing machine for €600 from Murray's electrical store. After one week they noticed that the machine did not spin the clothes properly and that water remained in the machine at the end of the washing cycle. They returned to the shop to complain.

- (A) (i) Name the law that protects the Burkes in this case. (10 marks)
- (ii) Explain three legal rights of the Burke family and one duty of Murray's electrical store under the law. (20 marks)
- (iii) Explain two advantages of taking a case to the Small Claims Court. (20 marks)

Mark is a public sector worker and a member of a trade union. He has been involved in picketing his workplace as part of a national day of protest.

- (B) (i) Explain the term 'picketing'. (15 marks)
- (ii) Outline two functions of a trade union. (10 marks)
- (75 Marks)

Q13 Section 1 2009

13. Explain the following terms used in the Sale of Goods and Supply of Services Act 1980.

Goods must be:

- (i) of merchantable quality:

- (ii) as described:

Q9 Section 1 2008

9. People whose personal information is kept on a computer have rights under the Data Protection Act 1988.

Outline two of these rights.

(i) _____

(ii) _____

Q1 Section 2 2008

Study the information supplied and answer the questions which follow:

Martina bought a pair of boots costing €100 from Reilly's Footwear Ltd. After one week the heel came off one of the boots. She returned to the shop with the receipt but they refused to take the boots back.

Martina is considering taking her case to the Small Claims Court.

- (A) (i) Name the law that protects Martina in this case. (10 marks)
- (ii) Explain Martina's legal rights and the duties of Reilly's Footwear Ltd. (20 marks)
- (iii) Explain two advantages to Martina of taking her case to the Small Claims Court. (10 marks)

A Trade Dispute can be explained as a dispute between an employer and the employees.

- (B) (i) Outline three reasons/causes of trade disputes. (20 marks)
- (ii) Describe any two functions of a Trade Union. (15 marks)
- (75 marks)

Q1 Section 2 2007

Study the information supplied and answer the questions which follow:

James and Emer O'Brien ordered paving slabs for their garden patio from Healy's Garden Centre Ltd. They selected the paving slabs from samples shown to them at the garden centre. When the paving slabs were delivered, they were not the same as the sample they had chosen.

The O'Briens were not happy but the sales assistant told them that they must pay for the goods delivered.

- (A) (i) Name the law that protects the O'Briens in this case. (10 marks)
- (ii) Outline **one** non-legislative method of solving the above problem. (10 marks)
- (iii) Explain the legal rights of the O'Briens and the duties of Healy's Garden Centre Ltd. (20 marks)

The Employment Equality Act 1998 aims to prevent discrimination in the workplace.

- (B) (i) Describe two grounds on which discrimination is unlawful under this Act. (20 marks)
- (ii) Outline the role of a Rights Commissioner. (15 marks)
- (75 marks)

Q1 Section 2 2006

Study the information supplied and answer the questions which follow:

John and Mary Farrelly visited their local travel agent to arrange a holiday for themselves and their young children.

They looked at some brochures and booked a Spanish resort where they were assured that their apartment was within a 5 minute walk of the beach and that the apartment block had play facilities with supervision for the children.

However, on arrival, they discovered that a trip to the beach involved using an infrequent local bus service. The play facilities were still under construction.

On their return from Spain, John and Mary went to the travel agent to complain.

- (A) (i) Name the law that protects the Farrellys in this case. (10 marks)
- (ii) Outline two possible remedies the travel agent might offer to solve this problem. (20 marks)
- (iii) Explain three functions of the Director of Consumer Affairs. (15 marks)

Joan Brown has just been appointed to her first job.

Her employer presented her with a Contract of Employment. Joan knew from studying Business that the elements of a contract include: Offer, Acceptance, Consideration, Capacity and Intention to Contract.

- (B) (i) Define the term 'contract'. (10 marks)
- (ii) Explain any two of the elements of a contract underlined above. (20 marks)
- (75 marks)