

Q2

1 candidate answered question 2, mark 4.

Only one candidate attempted this question and unfortunately did not appear to fully understand the scope of the Business Protection from Misleading Marketing Regulations 2008. Candidates were expected to include the definition of

this relates to business-to-business advertising, contain deceptive information or could injure a competitor, and then outline some of the matters to be taken into account in Reg 3 (3) and (4). The candidate included some relevant points but much of the answer contained references to consumers, transactional decisions and some of the Sch1 practices from the Consumer Protection from Unfair Trading Regulations 2008 which did not enable the examiner to have confidence that the candidate had understood the question or the relevant legislation.

Q3

2 Candidates answered question 3, marks ranged from 4 to 5,

1996 and the duties it places on investigators. Firstly, candidates were expected to outline these main duties to record, retain and reveal material obtained during an investigation. Then candidates were

relevant Sch 1 practice for the OFT v Purely Creative case. The main points were covered well for this case but less so for BIS v PLT Anti-Marketing where candidate failed to fully understand the decision of the court in terms of why informing consumers that the TPS service was free lead to misleading omissions and discussing the concept of material information.

Q6

0 candidates answered question 6.

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