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Qualifications Framework

Stage 1: Unit 1 Regulatory Environment and Enforcement

Written Examiner's Report May 2024

Congratulations to all candidates who undertook the examination. Twenty candidates sat the Unit 1 examination

(b) Candidates who clearly identified three different advantages and three disadvantages of the doctrine obtained full marks for this part of the question. Candidates need to be careful not to repeat themselves, as marks will only be awarded for each different advantage or disadvantage provided and not for the same point written a slightly different way.

Q3

6 candidates chose to answer this question, with marks ranging from 3 – 8.

This question was answered well by most candidates. The question required a brief explanation of the purpose of the Regulators' Code or the Scottish Regulators' Strategic Code of Practice and an outline of the principles set out within the Codes. Candidates who had revised this part of the syllabus clearly demonstrated their knowledge and achieved high marks for their answers.

Q4

5 candidates elected to answer this question with marks awarded between 3 and 5.

This question required candidates to identify that minors are under the age of 18 and discuss the relevant case law or legislation, such as the Age of Legal Capacity (Scotland) Act 1991. The question then requires a discussion about circumstances where contracts are valid, invalid or voidable/set aside. This could include discussing contracts for necessities or services for the minor's benefit for example, voidable contracts for land and leases and other types of contracts which would be void. Candidates needed to answer all parts of the question to achieve high marks. Many candidates did not do so, which limited the marks that they were awarded for their answers.

Q5

This question was selected by 10 candidates. Marks ranged from 1 to 9.

It was concerning that some candidates who selected this question scored very poorly. The Consumer Rights Act 2015 is an important part of the syllabus for Unit 1 and students should ensure that they are familiar with this



Q10

This question was answered by 8 candidates and marks awarded ranged from 12 – 30.

Part (a) of this question required candidates to draw the structure of the civil and criminal court systems. Some candidates did a very good job of this and achieved high marks in this part of the question. Other candidates could only identify some of the courts and there were gaps in their knowledge. Knowledge of the court systems is an important part of the working knowledge for Unit 1 and is a common question on the Unit 1 examination paper.

Part (b) required candidates to identify some of the key terminology used in the court process. This part of the question was largely answered well where candidates adopted a logical and methodical approach to answering all parts of the question. Some parts of the question were left unanswered or were missed out from some candidates' answers, lowering the marks they were able to achieve. Having a knowledge of common terminology used in our civil and criminal enforcement work is important for delegates to develop during their Unit 1 studies.

Finally, part (c) of the question explored the differences between private and public law and asked candidates to provide examples. Strong answers discussed public law as being the relationship between individuals and the state or institutions and private law as being relationships between individuals. Examples of public law included tort and land law. Examples of private law included taxation law, constitutional law or administrative law.