

Qualification Framework written examination

Unit 2: Business and Consumer Legal Frameworks

May 2024

Guidance for this examination

Please ensure that you indicate clearly at the top of the answer booklet, the law viewpoint from which you will be answering: English, Scottish or Welsh.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

Examination structure

There are two sections to the examination paper:

Section A Consists of six questions.
Candidates should attempt to answer three questions.
Total allocation of marks is 30 marks.
Suggested time allocation is 30 minutes.

Section B Consists of four questions.
Candidates should attempt to answer two questions.
Total allocation of marks is 70 marks.
Suggested time allocation is 90 minutes.

Total time allowed – two hours (plus ten minutes' reading time).

Note:

The Business and Consumer Legal Frameworks written paper is a **closed book**; no materials are permitted to be taken into the examination room.

The examination paper has five pages, including this front sheet.

Section A

Candidates should attempt to answer three questions.

Each question carries ten marks.

Total: 30 marks.

1. **Answer all parts of the question.**

(a) Define the term 'hazard' and provide two examples of types of hazards. (3 marks)

(b) In your own words, explain what the term 'harm' means and identify two examples of factors you may take into account when determining the likely probability of harm occurring. (3 marks)

(c) Briefly explain what a risk matrix is and what it is used for. (4 marks)

(10 marks)

2. **Answer both parts of the question.**

(a) Briefly describe why it is important for Trading Standards Services to provide advice and support to businesses. (6 marks)

(b) Provide two examples of resources that Trading Standards can use to provide advice to businesses and explain how these resources are used. (4 marks)

(10 marks)

3. Explain what self-regulation is and identify three advantages and three disadvantages of this type of regulation. (10 marks)

4. **For English and Welsh candidates only:**

Outline the role of the Food Standards Agency and explain, using examples, how they work with Trading Standards Services. (10 marks)

For Scottish candidates only:

Outline the role of the Food Standards Scotland and explain, using examples, how they work with Trading Standards Services. (10 marks)

5. Briefly outline the main features of a Public Limited Company (PLC) and identify two advantages and two disadvantages of this type of legal entity. (10 marks)

6. Explain the role of Local Government Associations and how they support the work of Local Authorities, using examples to support your answer. (10 marks)

Section A total of 30 marks.

End of Section A.

Section B
Candidates should attempt to answer two questions.
Each question carries 35 marks.
Total: 70 marks.

7. Blankshire Trading Standards, where you work, are looking into setting up a trusted trader scheme. Prepare a briefing note for the management team covering the following information:
- (a) The benefits of having a trusted trader scheme. (10 marks)
 - (b) The disadvantages involved in running a trusted trader scheme. (10 marks)
 - (c) An example of a national trusted trader scheme and a summary of the scheme. (10 marks)
 - (d) Five ways that Blankshire Trading Standards could advertise the scheme to local businesses. (5 marks)
- (35 marks)
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8. You need to consider whether an inspection plan would be appropriate for a business that your Local Authority has a Primary Authority partnership with. The business has a chain of restaurants across England, Scotland and Wales called ME Cantina.
- (a) Explain what an inspection plan is, who you may need to consult with and the enforceability of an inspection plan across England, Scotland and Wales. (10 marks)
 - (b) Outline the information you would need to include in your rationale for an inspection plan for ME Cantina, including the information needed if it is a national inspection strategy. (15 marks)
 - (c) Using examples, describe the benefits of an inspection plan for both the business and enforcing authorities. (10 marks)
- (35 marks)

9. Discuss why taking a criminal prosecution is not always the best approach when dealing with non-compliance by a business. Explain the other options available to you and provide examples of when they may be the more appropriate courses of action to take.

(35 marks)

10. The Office of Product Safety Standards (OPSS) manages the toolkit for the Better Business for All scheme. Describe the 10 steps set out by OPSS for creating effective local partnerships and identify the resources the toolkit provides for each of these steps.

(35 marks)

Section B total of 70 marks.

END OF EXAMINATION PAPER.