

Legal Profession Admission Board

Conveyancing

March 2009 Exam

Marker's Comments

56 examination scripts were received of which:-

1. 19 achieved a mark of 75-100 (Pass with Distinction) (34%);
2. 17 achieved a mark of 65-74 (Pass with Merit) (30%);
3. 17 achieved a mark of 50-64 (Pass) (30%); and
4. 3 received a mark below 50 (Fail) (6%).

56

**Question 1**

Most discussed the relevant authority, *Grace v Thomas Street Café*. Advice to clients could have been more expansive.

**Question 2**

- (a)(i) well answered by most.
- (a)(ii) few mentioned a later caveat is not a "dealing" (sections 3 and 74H(1)(a)(i), RPA).
- (b) sections 66K & 66O, Conv Act could have been amplified.

**Question 3**

- (a)(i) greater awareness of cl1(b) Sched 3, 2005 Reg would have been helpful.
- (a)(ii) most discussed the relevant law (*Micos v Diamond*, *Flight v Booth* etc and cl 5, 6 & 7 Contract).
- (b) generally answered well.

**Question 4**

Popular choice reflected by good marks.

**Question 5**

Most referred to *Lennard v Jessica Estates P/L*. A more detailed analysis of the law would have been desirable.

Reasons for allowing the appeal, and advice to client could have been more comprehensive.

**General Comments**

Overall, the standard was more than satisfactory.

Students who achieved marks 75 to 100 produced work of superior quality evidenced by sound coverage of pertinent issues supported, in turn, by relevant law.

Presentation, legibility, spelling, and length of answers, in some cases, left much to be desired.

A few students continue to ignore answering the question, or digress by introducing irrelevant material, neither of which is conducive to improving marks.

Edward Loong

25 March 2009