

Legal Profession Admission Board

October 2024

Insolvency

Examiner's Comments

Characteristics of better responses

1. Identification of correct statutory provisions.
2. A clear integration of correct legislative provisions and relevant case analysis.
3. Distillation of principles derived from case authorities.
4. Application of those legislative principles and case principles to the facts of each question.
5. Clarity of reasoning with consistent responses when applying law to facts.

Common problems and mistakes

1. Merely reciting statutory provisions.
2. Expansive recitation of facts of case authorities and replication of large extracts.
3. Conclusions not based upon the principles referred to in responses.
4. Misapplication of legislative provisions.
5. No real conclusions.

Exam self-evaluation - Take-aways for students

Students are encouraged to consider the following points:

- Did I manage the time well?
 - Did I answer all required questions?
 - Did I address each point in each question?
 - Did I identify and apply the right legal principles?
 - Did I offer sufficient support to each argument and cite correct authorities?
 - Did I reach a conclusion on each issue identified and at the end of each response?
 - Did I acquire enough knowledge in the course and considered it sufficiently prior to exam to be able to focus on critical thinking of each issue while responding to exam questions?
 - Did I focus on analysis, synthesis and evaluation rather than restatement of facts and information presented in the lectures and course materials?
 - Where was my knowledge of this subject deficient?
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