

Examiners' Comments on the 2006 Examination

Head III: Commercial and Company Law

The examination covered a range of questions from the syllabus which enabled candidates to illustrate their knowledge and practical understanding of Hong Kong commercial and company law. The usual problem of candidates providing pre-prepared answers to questions regardless of the actual question asked was still in evidence. For example, many candidates still provided one unequivocal answer to questions that are designed to invite an analytical discussion of various options available to the client arising from a set of facts concerning different legal issues. When this happened, the candidates invariably failed to answer the specific question asked.

In addition, some candidates failed to allocate an appropriate proportion of time. They did three reasonably good questions and a very poor last question because they misjudged their timekeeping and left insufficient time to answer the last question.

On the other hand, there was a small proportion of candidates who demonstrated a sound knowledge of the syllabus, producing thoughtful and logical answers supported by appropriate references to case law and legislation.