

Obligations

Wednesday 6 November 2025

12pm to 1.30pm

Candidates must answer two questions in total – **one** questions from section A and **one** from Sections B. All questions carry the same marks.

No marks will be awarded for copying out the text of materials which candidates are permitted to take into the exam.

Answers to each SECTION should be written in a separate answer book.

Section A – Contract Law

Candidates **must** answer **one** question from Section A.

Question 1

Frank works as a manager of a pub in Edinburgh. He has a written contract of employment that sets out, among other things, his annual salary, but says nothing about bonuses. Frank claims, however, that, during negotiations, it was verbally agreed with Chris, the bar owner, that Frank would also receive a bonus of £10,000 if bar takings exceeded a certain target in 2024/25. Bar takings did exceed the target, and Frank is claiming his bonus. Chris refuses to pay it on the basis that it is not provided for in the written contract of employment.

Discuss whether Frank is legally entitled to the bonus.

Question 2

Eric has set himself up in business as wedding planner. He has drafted a set of standard terms and conditions which he intends to use in all contracts with his clients.

Advise what Eric should do to ensure that these standard terms and conditions are validly incorporated into the contracts with his clients.

END OF SECTION A

Section B - Delict

Candidates **must** answer **one** question from Section B.

Question 3

Magnus was driving home after work. He saw in his rear-view mirror flashing lights of a police car. The police car was travelling very fast on a busy main road. Magnus slowed and steered his car towards the outside of the lane. The police car passed Magnus but almost immediately hit another car. Magnus swerved to miss the police car and hit a lamppost. He lost consciousness. Waking up, Magnus saw the passengers of the car struck by the police car being attended by emergency services. He realised that two bodies were covered with blankets. Magnus was released from Accident and Emergency that evening. Since the accident, Magnus has been unable to sleep due to recurring images of the dead bodies.

Magnus wishes to sue Police Scotland. Advise Magnus.

Question 4

In April 2024, Janine was driving to her parents after work to celebrate her father's birthday. Her car was hit by another car. The accident triggered the onset of a serious medical condition. She was involved in a second serious car accident in October 2025 when travelling as a passenger in her father's car. The driver in the second car was driving without insurance. Janine is considering raising legal proceedings. Who should she sue and on what legal basis?

Advise Janine.

END OF SECTION B

END OF PAPER