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# A-level **LAW**

Paper 2

Thursday 11 June 2020

Morning

Time allowed: 2 hours

### **Materials**

· You will need no other materials.

### Instructions

- Use black ink or black ball-point pen.
- Fill in the boxes at the top of this page.
- Answer **all** questions. You must answer the questions in the spaces provided. Do **not** write on blank pages.
- If you need extra space for your answer(s), use the lined pages at the end of this book. Write the question number against your answer(s).
- Do all rough work in this book. Cross through any work you do not want to be marked.
- Questions should be answered in continuous prose. Give reasoned answers. Where appropriate, make reference to cases, statutes and examples.

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### Information

- The marks for questions are shown in brackets.
- The maximum mark for this paper is 100.

For Examiner's Use			
Question	Mark		
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	Answer all questions in the spaces provided.	
For each	vant to change your answer you must cross out your original answer as	s shown.
0 1	In a case involving private nuisance, for which of the following can the remedy?	e claimant <b>not</b> seek a <b>[1 mark]</b>
	A Damage to buildings.	0
	B Damage to plants.	0
	C Personal injury.	0
	<b>D</b> Unreasonable interference with use or enjoyment of land.	0
0 2	If an action in negligence is brought against a child, which of the follow claimant normally have to prove is <b>true</b> at the time of the incident?	wing does the [1 mark]
	A The child's behaviour amounted to a criminal offence.	0
	<b>B</b> The child was carrying out an activity that is normally only suitable for an adult.	0
	C The child was under parental responsibility.	0
	<b>D</b> The standard of behaviour of the child was lower than that of the reasonable child of the same age.	0



0 3	A pressure group may try to influence Parliament and persuade it to p Which of the following statements about pressure groups is <b>false</b> ?	oass certain	laws.
	which of the following statements about pressure groups is laise:		[1 mark]
	A Cause pressure groups promote particular beliefs or principles.	0	
	<b>B</b> Pressure groups always put forward candidates for election to Parliament in order to promote their ideas.	0	
	<b>C</b> Pressure groups often lobby individual MPs in order to promote their ideas.	0	
	<b>D</b> Sectional pressure groups represent the interests of a group of people.	0	
0 4	Which of the following best describes a decision made by a tribunal?		
	The decision is		[1 mark]
	A binding on the parties and can be appealed.	0	
	<b>B</b> binding on the parties, but cannot be appealed.	0	
	<b>C</b> not binding on the parties and cannot be appealed.	0	
	<b>D</b> not binding on the parties, but can be appealed.	0	
0 5	Which of the following courts does <b>not</b> hear appeals in tort cases?		[1 mark]
	A The Chancery Division of the High Court	0	
	<b>B</b> The Civil Division of the Court of Appeal	0	
	C The County Court	0	
	<b>D</b> The Supreme Court	0	-
	Turn over for the next question		



Explain <b>two</b> aspects of the work of the Law Commission in reforming the law example of an area of law that the Law Commission has looked at.	
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Janet owned a field at the edge of town. The field was next to a popular ice skating rink. There was a fence around the field, and the gate to the field was locked. There were also notices saying that it was forbidden to enter. However, people from nearby houses would sometimes climb the fence in order to use the field as a shortcut to reach the ice skating rink.

Suggest why the people using the field as a shortcut for the purposes of any claim in occupiers' liability.	
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severely damaged.	. •	ext door. As a result, Ler	·
Advise Leroy as to h Fletcher.	s rights and remedies a	against Kev under the Rul	e in Rylands v
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In Quest logical ar	ion <b>09</b> you are required to nd sustained line of reason	provide an extended a ning leading to a valid	answer which shows a clea conclusion.
Examine vextent liab	what is meant by fault as a pility to lawful visitors, unde	basis for liability in Er er the Occupiers' Liabi	nglish law. Discuss to wha lity Act 1957, is based on f [15 r
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In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1	0

Mel and his friend Neal drank a considerable amount of alcohol in a beach-side café. Afterwards, Mel and Neal agreed to go for a ride in Mel's new speedboat, with Mel acting as the driver. Neal knew that Mel had never driven a speedboat before. Neal sat on the edge of the boat, with his feet in the water, rather than sitting properly on one of the seats. Mel drove the boat at high speed across the water, frequently swerving sharply. Mel lost control of the boat which narrowly missed Orella, a swimmer. Neal was thrown from the boat and was badly injured. Neal's injuries were made worse by a lung condition which meant that he reacted particularly badly to swallowing sea water.

Shortly after the accident, Peggy, Neal's wife, walked down to the beach to find out where her husband was. She recognised Mel's boat and could see members of the local beach rescue service cleaning blood off their equipment. Peggy learnt from the beach rescue service that there had been a bad accident involving Neal. She took a taxi straight to hospital where she saw Neal badly injured and being treated by the doctors. Orella and Peggy both suffered severe distress and depression as a result of their experiences.

nsider the rights and remedies of Neal, Orella and Peggy against Mel.	[30 marks]





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In Question 11 you are required to provide an extended answer which shows a clear,	
logical and sustained line of reasoning leading to a valid conclusion.	

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Sam attended an evening drinks party at his golf club. Guests had been invited to bring along antiques to be valued. Sam took with him a small vase. He met Tina, who was giving advice on the value of antiques. Tina had been sent along by UserArt Ltd, an antiques company for which she frequently did valuation work. Tina had been instructed by UserArt to value paintings only. However, Tina ignored this instruction and examined Sam's vase. She then told him that it was only a modern copy and that it was worth about £10. Having heard this, Sam gave the vase to a local charity shop. He later discovered that the vase was a genuine antique and was worth £20 000.

Consider the rights and remedies of Sam against Tina **and** against UserArt Ltd in relation to the vase.

Law plays a role in society in both allowing and restricting civil claims. There are rules which restrict when a claimant can recover for pure economic loss in tort. Assess the reasons why these restrictions on recovery for pure economic loss exist.		
reasons why these restrictions on resovery for pure economic loss exist.	[30 marks]	



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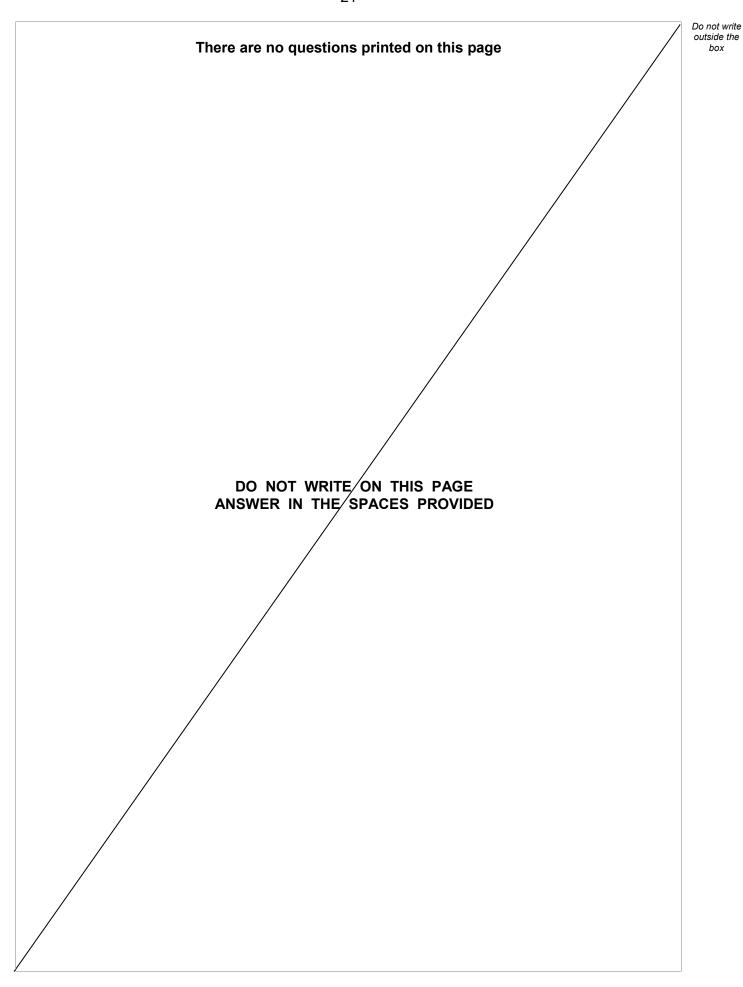




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# A-level **LAW**

Paper 2

Time allowed: 2 hours

## **Materials**

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TOTAL				

	Answer <b>all</b> questions in the spaces provided.					
Only o	ne answer per question is allowed.					
For each question completely fill in the circle alongside the appropriate answer.						
CORRECT	CORRECT METHOD WRONG METHODS © © © ©					
If you v	If you want to change your answer you must cross out your original answer as shown.					
If you was shown	wish to return to an answer previously crossed out, ring the answer you now wish to wn.	select				
0 1	Which of the following is <b>not</b> a requirement for a successful claim under the rule in Rylands v Fletcher?	า				
		[1 mark]				
	A The accident occurred when a dangerous thing escaped.					
	<b>B</b> The claimant's losses were reasonably foreseeable.					
	C The defendant's standard of behaviour fell below that of the reasonable person.					
	<b>D</b> There was an artificial accumulation of a dangerous thing.					
0 2	In a claim for psychiatric injury brought by a primary victim, which of the following need to be proved?	does not				
	A The claimant sustained a mental injury that can be shown by medical evidence.					
	<b>B</b> The claimant was in personal danger.					
	C The incident occurred because of the defendant's negligence.					
	<b>D</b> The injury would only have been suffered by a person of reasonable fortitude (reasonable courage).					



0 3	Which type of judge normally hears appeals in the Civil Division of the	e Court of A		itside box
	A Circuit Judge	0		
	<b>B</b> District Judge	0		
	C Justice of the Supreme Court	0		
	<b>D</b> Lord Justice of Appeal	0		
0 4	In the House of Commons, a bill will have a second reading. Which s describes a second reading?	tatement be	est [1 mark]	
	A A debate on the main principles of the bill, followed by a vote	0		
	<b>B</b> A detailed examination of the bill carried out by a small group of MPs	0		
	C A formal stage at which the name of the bill is read out	0		
	<b>D</b> A report on amendments made at an earlier stage	0		
0 5	Select the <b>false</b> statement. The concept of parliamentary supremacy sovereignty) states that Parliament has the power to:	(parliamen	tary [1 mark]	
	A alter who can become king or queen.	0		
	<b>B</b> change law set out in a precedent of the Supreme Court.	0		
	C enact a statute which cannot be repealed.	0		
	<b>D</b> vote against the wishes of the Government.	0		5
	Turn over for the next question			



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0	7

Leah was at home when a neighbour telephoned her. The neighbour reported that Leah's brother, Milo, had just been knocked off his bicycle by a bus and had been taken to hospital. This news caused Leah to suffer a serious psychiatric injury. Leah did not visit Milo in hospital. The bus driver admitted that he was negligent in causing the accident.

In these circumstances, suggest why any claim made by Leah in respect of her injury would be unlikely to succeed in court.		
	[5 marks]	
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Turn over for the next question

Turn over ▶

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0	8

Nick had savings of £100 000 which he wanted to invest. Nick received through his letterbox a newsletter written by Ona, a local councillor. The newsletter updated residents on the progress of a new solar energy project just outside the town. In the newsletter, Ona explained that she was sure the solar energy project would be very profitable and she gave details as to how people could invest in the project. As a result of reading this, Nick invested his savings in the project. Later, residents found out that Ona had misunderstood the project and had failed to identify several serious defects. The project collapsed and Nick lost all his savings.

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In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 0

Paul owned an old house. There was an outside light high up on the back wall of the house. The light was faulty, and Paul asked Ravi, an electrician, to repair it. Paul warned Ravi that the house was not in good repair and that he should take care. To reach the light, Ravi climbed through an upstairs window and stood on the narrow wooden ledge just outside. Ravi could see that the ledge was damaged. In fact, it was rotten and it collapsed. Ravi fell to the ground and broke his ankle. His injury was worse than it might have been because he had previously injured his leg in an accident playing football.

There was a large trampoline in the back garden of the house. Children, including Saffi, lived in the next-door house. Paul was aware that these children sometimes played on the trampoline and that they had damaged the springs. In order to stop the children coming into his garden, Paul would warn them to stay away every time he saw them. To further discourage the children, Paul also built a fence around his garden. However, he did not notice that there was a hole next to one of the fence posts. Late one evening, Saffi, who was 10 years old, crawled through the hole and jumped on the trampoline, which broke. Saffi injured her arm, and smashed her watch.

against Paul <b>and</b> of Saffi against Paul.	nedies of Mayi		
	[30 marks]		





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In Question **11** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

1 1

Vic had recently retired. He often did odd jobs for Tania on her nature park. Tania paid Vic for this work. Vic usually wore the nature park's uniform when he was working, and he had regular contact with visitors to the park.

On one occasion, Tania asked Vic to lead a party of schoolchildren on a tour of the park. The children sat on a trailer, which was towed by a tractor driven by Vic. Vic had only driven the tractor twice before. As he was driving along, Vic tried to change the channel on the tractor's radio. As a result, Vic failed to notice some very uneven ground, and he drove the tractor over it. The tractor slid to one side. This caused the trailer to hit a tree. A branch from the tree brushed against Wes, one of the children sitting on the trailer. As a result, Wes was knocked from the back of the trailer and broke his leg.

Consider the rights and remedies of Wes against Vic **and** against Tania in relation to his injuries.

The theory underlying the rules of negligence plays a role in society as it helps courts decide which claims should succeed and which should fail. In the context of a claim in negligence, assess the factors used by the courts when deciding whether a duty of care has been **breached** and whether therefore a claim can succeed.



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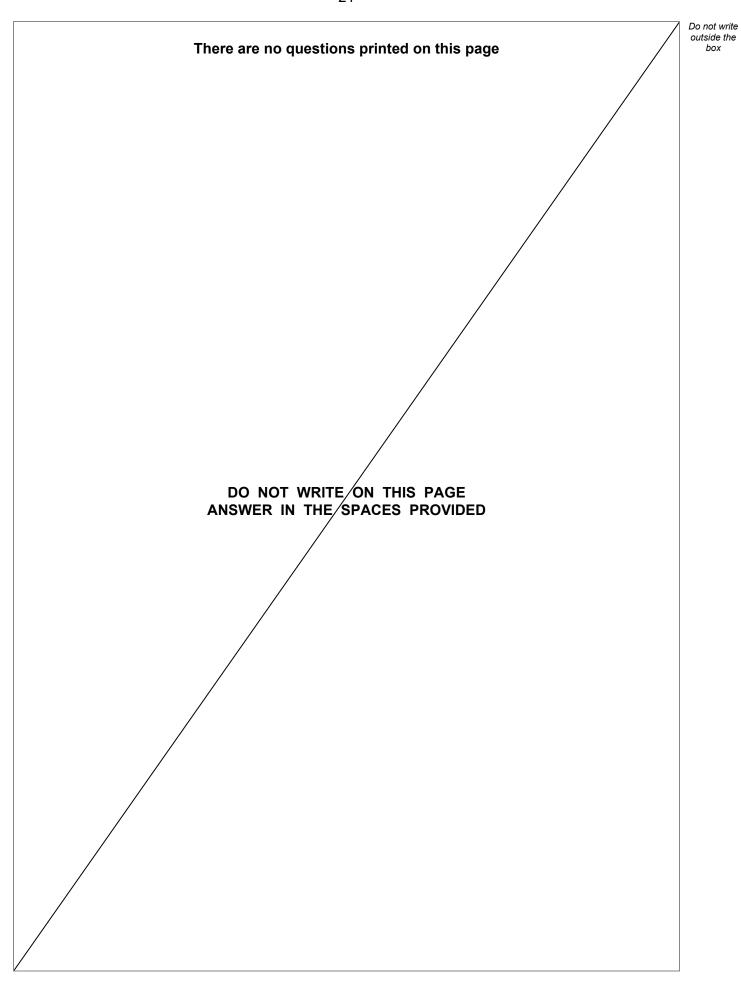
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Forename(s)			
Candidate signature	I declare this is my own work.		

## A-level **LAW**

Paper 2

Time allowed: 2 hours

## **Materials**

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## Instructions

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For Exam	iner's Use
Question	Mark
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TOTAL	

	Answer <b>all</b> questions in the spaces provided.	
For each	vant to change your answer you must cross out your original answer as vish to return to an answer previously crossed out, ring the answer you	shown.
0 1	In a claim for negligence, the court must decide if there has been a brecare. Which of the following will the court <b>not</b> take into account when decision?	•
	A Whether the defendant was a child.	0
	<b>B</b> Whether the defendant was acting in the course of his or her profession.	0
	C Whether the defendant was an inexperienced learner.	0
	<b>D</b> Whether the defendant was using the standard of the reasonable person.	0
0 2	In a claim for psychiatric injury, which of the following <b>best</b> describes a	a secondary victim? [1 mark]
	A A bystander who saw or heard the accident.	0
	<b>B</b> A person in danger of being injured in the accident.	0
	C A person injured in the accident.	0
	<b>D</b> A rescuer.	0



0 3	Which of the following is <b>not</b> part of the work of the Law Commission?	[1 mark]	box
	A Consulting with those interested in law reform.	0	
	<b>B</b> Enacting new laws.	0	
	C Making proposals for law reform.	0	
	<b>D</b> Researching aspects of the current law.	0	
0 4	When new legislation is enacted in Parliament, which of the two House usually more powerful?	es of Parliament is [1 mark]	
	A The House of Commons.	0	
	<b>B</b> The House of Commons and the House of Lords have equal powers.	0	
	C The House of Lords.	0	
	<b>D</b> Which is the more powerful varies in the circumstances, and is decided by the Prime Minister.	0	
0 5	Which statement <b>best</b> describes the availability of legal aid in a civil callegal aid is:	ase? [1 mark]	I
	A normally available for a personal injury claim.	0	
	<b>B</b> only available if the claimant is using a conditional fee agreement.	0	
	C paid for by the claimant.	0	
	<b>D</b> rarely available, and is subject to means testing.	0	5
	Turn over for the next question		



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Turn over for the next question

lights to his bicycle. distracted by her me	Kandy was driving a ca	as raining, and he had forgotten to at ar in the same direction. Kandy was not notice Jake. Kandy's car collide n the accident.	
With regard to the ru rights and remedies		ontributory negligence, advise Jake	of hi <b>10 n</b>



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	In Question <b>09</b> you are required to provide an extended answer which shows a clear logical and sustained line of reasoning leading to a valid conclusion.
	Examine the relationship between legal rules and moral rules. Discuss the extent to we the Occupiers' Liability Act 1984 (liability towards trespassers) reflects rules of morality [15 mag)
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In Question **10** you are required to provide an extended answer which shows a clear, logical and sustained line of reasoning leading to a valid conclusion.

Ozzy owned a timber yard. He used large, powerful saws to cut wood for customers' orders. The buzz from the saws was often very persistent, and it sometimes meant that Sam, the owner of a neighbouring house, had to close his windows. Ozzy received a contract from the local council for wood for a new school. To meet the order, Ozzy began working in his yard in the evenings. When Sam complained about this, Ozzy responded by working on Sunday afternoons as well.

The timber yard produced a large amount of sawdust, which Ozzy stored in sacks on one side of the yard. One night, the sacks were swept away by a very bad storm. The sacks split, and the wind blew the sawdust into the central heating vent on the outside of Paula's house. Paula had to spend a lot of money employing a builder to unblock the vent so that her central heating would work properly again.

Consider the rights and remedies of Sam against Ozzy in relation to the operation of the

timber yard and of Paula against Ozzy in relation to the damage to her central heating vent. [30 marks]





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In Question <b>11</b> you are required to provide an extended answer which shows a clear,
logical and sustained line of reasoning leading to a valid conclusion.

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Leroy owned an antique table. He asked Movers, a local firm of auctioneers, to value the table. Movers sent Nickie to visit Leroy. Nickie worked part-time for Movers, and they often asked her to visit customers who needed advice on antique furniture. A paragraph in Nickie's contract with Movers stated that she should only advise customers on furniture.

While Nickie was at Leroy's house, Leroy asked her to value a diamond necklace. Nickie stated that the necklace was a fake and had no value. Leroy gave the necklace to a local charity shop. Leroy later discovered that the necklace was genuine and that its value was £50 000.

Consider the rights and remedies of Leroy against Nickie **and** of Leroy against Movers in relation to his loss.

of dispute resolution available, both in and out of court.	
	[30 marks]



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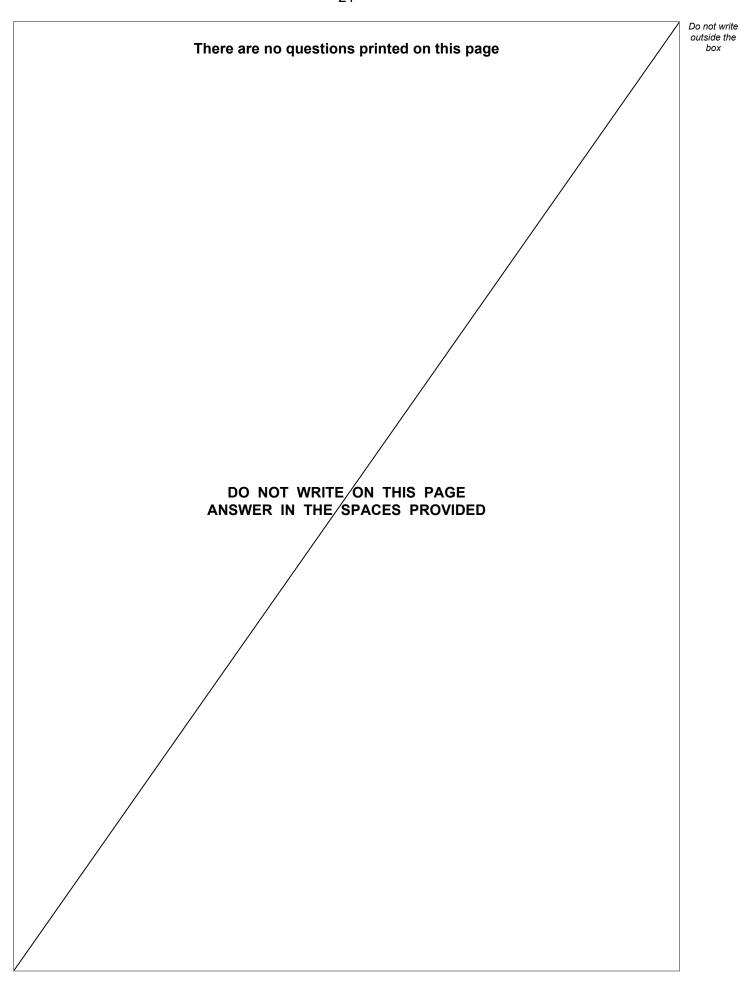
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## A-level **LAW**

Paper 2

Tuesday 6 June 2023

Afternoon

Time allowed: 2 hours

## **Materials**

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## Instructions

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CORRECT	METHOD   WRONG METHODS	
If you w	vant to change your answer you must cross out your original answer as	shown.
If you w as show	rish to return to an answer previously crossed out, ring the answer you r	now wish to select
0 1	Alek has won a claim in negligence against Bhavna in respect of a road asked the court for damages. Which of the following would <b>not</b> affect t damages he receives?	
	A Alak asulah baya takan astisu ta madusa tha automt of his lasasa	
	A Alek could have taken action to reduce the extent of his losses.	0
	<b>B</b> Bhavna successfully pleaded the defence of contributory negligence.	0
	<b>C</b> Bhavna was insured for any losses caused by her negligence.	0
	<b>D</b> Some of Alek's losses were not reasonably foreseeable.	0
0 2	Carla was at her local bus station when she saw a sign which read: 'Be slippery when wet.' Which of the following statements <b>best</b> describes the sign?	
	A Carla becomes a trespasser if she walks past the sign.	0
	<b>B</b> The bus company has excluded liability and no visitor to the bus station can sue for injuries.	0
	C The sign ensures that neither the Occupiers' Liability Act 1957 nor the Occupiers' Liability Act 1984 applies.	0
	<b>D</b> The sign is part of the bus company's efforts to fulfil the duty it owes to visitors.	0



0 3	Which of the following is <b>not</b> part of the role of a judge during a civil trial?			outside box
			[1 mark]	
	A To decide on any appropriate remedy.	0		
	<b>B</b> To decide the outcome of a case.	0		
	C To decide the sentence.	0		
	<b>D</b> To determine the relevant law.	0		
0 4	Which of the following is most likely to use 'lobbying' as a way of influe		ment? [ <b>1 mark]</b>	
	A Political parties.	0		
	<b>B</b> Pressure groups.	0		
	C The Law Commission.	0		
	<b>D</b> The media.	0		
0 5	Which of the following is a source of law involving judges making a new		[1 mark]	
	A By-laws.	0		
	B Common law.	0		
	C EU law.	0		
	<b>D</b> Statute law.	0		5
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Debra and Ewan met for lunch at a riverside pub. They drank a large quantity of alcohol and Debra, in particular, was having trouble walking in a straight line. Nevertheless, Debra suggested to Ewan that they go for a trip in Debra's canal boat which was tied up close by. Ewan agreed. Because of the amount of alcohol she had drunk, Debra's management of the boat was very bad. A collision occurred and Ewan was injured.

Debra has admitted that she was negligent and that her actions caused Ewan's injury.

Nevertheless, suggest why Debra will probably be able to use the defence of cons (volenti non fit injuria) to avoid liability to Ewan.				
	[5 marks]			
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0	R

Faruq was a financial advisor with an office in the local town. One evening, to increase business, he organised a lecture in the local town hall. The lecture was open to the public. Gita attended and, as a result of the advice that Faruq gave during the lecture, she invested  $\pounds 50~000$  in a particular company. However, Faruq had misread the company's accounts and he had failed to identify a significant weakness. Six weeks later, the company went out of business and Gita lost her  $\pounds 50~000$ .

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In Question 10 you are required to provide an extended answer which shows a clear,	
logical and sustained line of reasoning leading to a valid conclusion.	

Irene owned a cottage at the edge of the village. Jake, who owned the large field next to Irene's cottage, began to organise drone racing across his land. Jake's competitions were very popular in the local area. There were several races each week, and Jake also allowed people to practise their skills at other times. Racers particularly enjoyed the night-time events. The noise from the drones' motors was very persistent. Irene frequently could not hear her television and she sometimes had trouble getting to sleep. When she asked Jake to reduce the noise, he responded by organising a new county league involving several extra events.

Jake had built a large oil tank as part of the power-generating system used to recharge the drones. Jake noticed that the tank had been damaged, possibly by intruders. Before he could repair the tank, it collapsed. As a result, oil flooded across Irene's vegetable garden causing a considerable amount of damage.

rones <b>and</b> the damage caused by the oil spill.	[20 marks
	[30 marks



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In Question <b>11</b> you are required to provide an extended answer which shows a clear	,
logical and sustained line of reasoning leading to a valid conclusion.	

1 1

Will, a 10-year-old boy, was playing football in his garden, when the ball bounced into the road. As Will ran after it, he collided with an ambulance. The ambulance was being driven by Xavier who was driving quickly in response to an emergency call. Zen, who lived close by and had known Will since birth, witnessed the incident and ran to Will's house to contact his parents. Will's mother, Yasmin, was in the shower at the time and did not hear the doorbell.

Yasmin eventually saw Will tearful and in pain on the hospital ward while he was awaiting treatment for a badly broken leg. Will had been a promising youth footballer for Vale United and since the operation has been told that he will not be able to play football again. Zen and Yasmin have both suffered from severe psychiatric problems since the incident.

Consider the rights and remedies in negligence of Will against Xavier, **and** of Zen and Yasmin against Xavier for their psychiatric problems.

Law plays a role in society in both allowing and restricting civil claims. There are rules which restrict when a claimant can recover for psychiatric injury in tort. Assess the reasons why these legal restrictions exist.

[30 marks]






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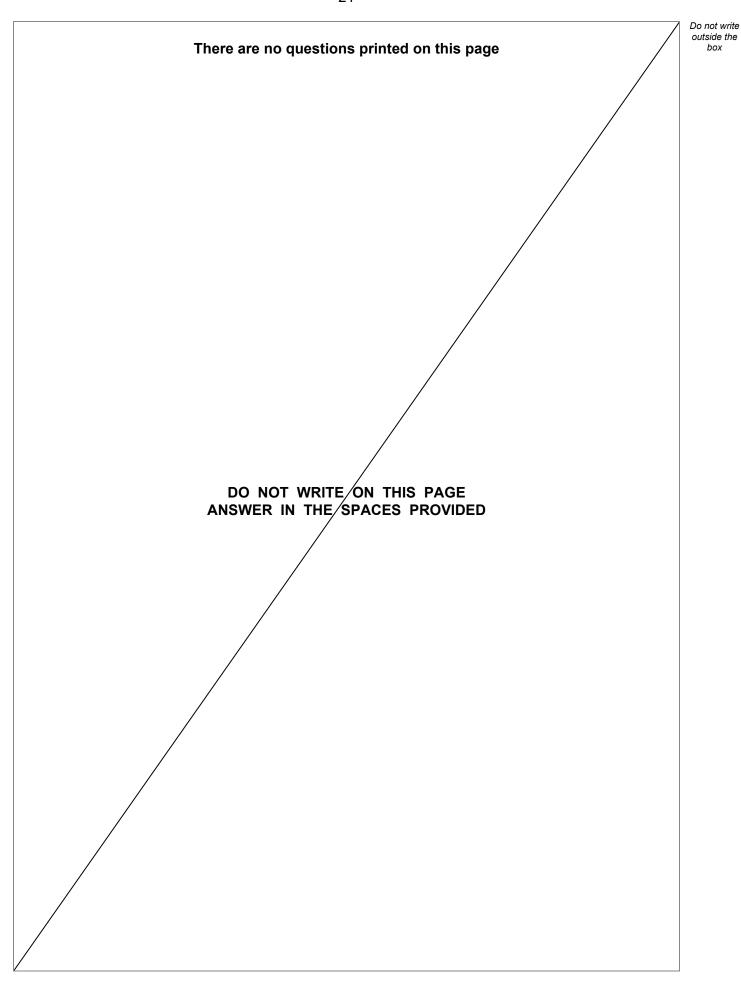





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**END OF QUESTIONS** 







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Question number	Additional page, if required. Write the question numbers in the left-hand margin.



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