

CTSI Professional Competency Framework (CPCF) written examination

Unit 2: Business & Consumer Legal Frameworks

May 2023

Guidance for this examination

Please ensure that you indicate clearly at the top of the answer booklet, the law viewpoint from which you will be answering: English, Scottish or Welsh.

The examiners may expect candidates to show knowledge of legislation which is in place but not in force (i.e. has been enacted) and regulations which have been made but are not yet in force, if they are directly relevant to the subject-matter of the examination.

Examination structure

There are two sections to the examination paper:

Section A Consists of six questions.
Candidates should attempt to answer three questions.
Total allocation of marks is 30 marks.
Suggested time allocation is 30 minutes.

Section B Consists of four questions.
Candidates should attempt to answer two questions.
Total allocation of marks is 70 marks.
Suggested time allocation is 90 minutes.

Total time allowed – two hours (plus ten minutes' reading time).

Note:

The Business & Consumer Legal Framework paper is a **closed book**; no materials are permitted to be taken into the examination room.

The examination paper has 5 pages, including this front sheet.

Section A

Candidates should attempt to answer three questions.

Each question carries ten marks.

Total: 30 marks.

1. Answer both parts of the question.

(a) Describe the main features of a sole trader and provide one example of a type of business that may choose this set up. (4 marks)

(b) Identify three advantages and three disadvantages of being a sole trader. (6 marks)
(10 marks total)

2. Outline the role of the Competition and Markets Authority and describe how their work relates to the work carried out by Trading Standards services. (10 marks)

3. Answer both parts of the question.

(a) What do the letters in PESTLE stand for? Provide one example of each of these factors. (6 marks)

(b) Why would a business conduct a PESTLE analysis? (4 marks)
(10 marks total)

4. Answer both parts of the question.

(a) Explain what 'devolved government' means and identify areas of law enforced by Trading Standards services that are devolved. (6 marks)

(b) Briefly outline why it is important for all Trading Standards professionals to have an understanding of devolved areas of law when providing advice to businesses. (4 marks)
(10 marks total)

Section A continues over the page.

5. **English and Welsh candidates only:**

The Regulators' Code states that regulators should ensure clear information, guidance and advice is available to help those they regulate to meet their responsibilities to comply. Outline the requirements set out in the Regulators' Code for achieving this principle.

(10 marks)

5. **Scottish candidates only:**

The Scottish Regulators Strategic Code of Practice states that Regulators should communicate effectively with those they regulate, to build relationships and mutual understanding which helps avoid or mitigate disputes. Outline the requirements set out in this Code for achieving this.

(10 marks)

6. Provide two examples of different ways that consumers may be vulnerable and explain how these circumstances may affect their decision making.

(10 marks)

Section A total of 30 marks.

Exam paper continues over the page.

Section B

Candidates should attempt to answer two questions.
Each question carries 35 marks.
Total: 70 marks.

7. Answer both parts:

You are contacted by a local Trade Association who has heard that they may benefit from the Primary Authority scheme. They ask you to attend their next meeting to provide further details about the scheme, co-ordinated partnerships, how they work in practice and their benefits.

- (a) Describe the information you would cover in your presentation to the group. (25 marks)
- (b) Explain what Trade Associations are and, using examples of existing Trade Associations, outline what services they can provide to businesses who become members. (10 marks)
- (35 marks total)

8. Answer all parts:

When government sets out a policy initiative, they have a range of options for implementing them.

- (a) Explain what mandatory controls are and provide two examples. (5 marks)
- (b) Explain what voluntary controls are and provide two examples. (5 marks)
- (c) 'Voluntary controls simply do not work when seeking to improve business compliance.' Using examples to illustrate your points, outline whether you agree with this statement and the benefits and disadvantages of using mandatory and voluntary controls. (25 marks)
- (35 marks total)

Exam paper continues over the page.

9. *'Since I became Chair of National Trading Standards (NTS) in June this year, I have been inspired every day by the unwavering determination of the Trading Standards community to protect consumers and honest businesses from harm. Working against a backdrop of ongoing financial constraints and a seemingly relentless onslaught of external challenges – from the pandemic to the cost-of-living crisis – our teams continue to deliver incredible results for the public. I thank each and every one of them for their dedication and commitment.'*

Lord Michael Bichard, Chair of National Trading Standards, taken from the National Strategic Assessment Report published in September 2022.

Using supporting evidence, including data and examples from your own work, discuss how Trading Standards services protect consumers and honest businesses from harm and provide examples of the results Trading Standards services have achieved over the last year across the wide range of functions carried out within Trading Standards.

(35 marks)

10. **Answer all parts of the question.**

It is important to consider all relevant factors that may affect a business's attitude to compliance and their understanding of any advice you provide.

- (a) Describe the main stages of a product lifecycle and explain how each of these stages may affect a business's attitude towards compliance costs.

(20 marks)

- (b) Using examples to support your answer, explain what factors you need to consider when providing advice to a business whilst at their premises, to ensure you are communicating information in an effective manner.

(15 marks)

(35 marks total)

Section B total of 70 marks.

END OF EXAMINATION PAPER.