

General Certificate of Education
January 2003
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Tuesday 14 January 2003 Afternoon Session

In addition to this paper you will require:
an 8-page answer book.

Time allowed: 1 hour 15 minutes

Instructions

- Use blue or black ink or ball-point pen.
- Write the information required on the front of your answer book. The *Examining Body* for this paper is AQA. The *Paper Reference* is LAW1.
- Answer **two** questions.
- Do all rough work in the answer book. Cross through any work you do not want marked.
- Use continuous prose. Give reasoned answers. Where appropriate, make reference to authority.

Information

- The maximum mark for this paper is 65.
- Mark allocations are shown in brackets.
- You will be awarded up to 5 marks for the quality of your written communication. You will be assessed on your ability to use an appropriate form and style of writing, to organise relevant information clearly and coherently, and to use specialist vocabulary, where appropriate. The degree of legibility of your handwriting and the level of accuracy of your spelling, punctuation and grammar will also be taken into account.

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Answer **two** questions.

Use continuous prose. Give reasoned answers. Where appropriate, make reference to authority.

- 1 (a) Describe, and illustrate with cases, the operation of the doctrine of precedent in English law. *(15 marks)*
- (b) Judges may have a number of options open to them which give them the opportunity to avoid having to follow a precedent.
- Briefly explain and comment on these options. *(15 marks)*
- 2 (a) Outline the formal process of statute creation. *(10 marks)*
- (b) Describe the different types of delegated legislation. Discuss the advantages and disadvantages of Parliament delegating its law-making powers to others. *(20 marks)*
- 3 (a) There are various influences operating on Parliament before and during the legislative process. Describe and illustrate these influences. *(20 marks)*
- (b) Discuss the advantages and disadvantages of any **two** of these influences. *(10 marks)*
- 4 (a) Describe the different types of European Union law, using examples to illustrate where appropriate. *(10 marks)*
- (b) Describe the effect of UK membership of the European Union on English law. Comment on whether European law is an important source of law. *(20 marks)*
- 5 (a) Describe the various judicial approaches (rules) to interpreting statutes. Illustrate your description with cases. *(20 marks)*
- (b) Discuss the advantages and disadvantages of any **two** of these different judicial approaches (rules). *(10 marks)*

END OF QUESTIONS