

General Certificate of Education
June 2004
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Tuesday 15 June 2004 Morning Session

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

Time allowed: 1 hour

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.

Answer **two** questions.

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

- 1 (a) Describe the formal process of statute creation and the role of the House of Commons, House of Lords and the Crown in this process. (15 marks)
- (b) Consider the advantages and disadvantages of this process of law making. (15 marks)
- 2 (a) Describe the operation of the doctrine of precedent. (15 marks)
- (b) Identify and explain the advantages and disadvantages of precedent as a system of law making. (15 marks)
- 3 (a) Describe the functions of the Council of Ministers, European Commission and European Parliament in the creation of European Union law. (15 marks)
- (b) Outline the role of the European Court of Justice (ECJ) and consider the relationship between the ECJ and the English courts. (15 marks)
- 4 (a) Describe, using examples, the different forms of delegated legislation as a source of law. (15 marks)
- (b) Identify and explain the advantages and disadvantages of delegated legislation. (15 marks)
- 5 (a) Describe the various rules and other aids available to a judge when interpreting an Act of Parliament. (20 marks)
- (b) Choose any **two** of these various rules or aids described in your answer to 5(a). Consider the **advantages** of their use. (10 marks)

END OF QUESTIONS