

General Certificate of Education
January 2008
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Monday 14 January 2008 1.30 pm to 2.30 pm

For this paper you must have:

- 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 to be marked.
- Give reasoned answers. Where appropriate, make reference to authority.

Information

- The maximum mark for this paper is 65.
Five of these marks will be awarded for using good English, organising information clearly and using specialist vocabulary where appropriate.
- The marks for questions are shown in brackets.

Answer **two** questions.

Give reasoned answers. Where appropriate, make reference to authority.

- 1 (a) Outline what is meant by the doctrine of judicial precedent and explain how this doctrine operates in the House of Lords and in the Court of Appeal. (20 marks)
- (b) Discuss **two advantages** of the doctrine of judicial precedent. (10 marks)
- 2 (a) Briefly describe **three** influences on Parliament as a law maker. (15 marks)
- (b) Discuss **three advantages** of any influences on Parliament as a law maker. (15 marks)
- 3 (a) Outline, with examples, what is meant by delegated legislation. Briefly explain how Parliament **and** the judiciary exercise control over this law-making process. (20 marks)
- (b) Discuss **two disadvantages** of delegated legislation as a source of law. (10 marks)
- 4 (a) Briefly describe the functions of the Council of Ministers, the European Commission and the European Parliament. (15 marks)
- (b) Outline the role(s) of the European Court of Justice and briefly discuss the relationship between the European Court of Justice and the English courts. (15 marks)
- 5 (a) Explain and illustrate **three** of the rules (approaches) which can be used by judges when interpreting an Act of Parliament. (20 marks)
- (b) Briefly discuss the **disadvantages** of any **two** of the rules (approaches) explained in your answer to 5(a). (10 marks)

END OF QUESTIONS