

General Certificate of Education
June 2005
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Wednesday 15 June 2005 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) Briefly explain the roles of the House of Commons and the House of Lords, and outline the role of the Crown, in the formal process of statute creation. (10 marks)
- (b) Outline the role undertaken by any **two** bodies who can influence Parliament as a law maker. Comment on the extent of their success or failure in influencing Parliament. (20 marks)
- 2 (a) Identify and describe **three** different types of European Union law. (15 marks)
- (b) Using examples, discuss the effect that European Union law has had on English law. (15 marks)
- 3 (a) Identify and describe **three** judicial rules (approaches) to the task of statutory interpretation. (20 marks)
- (b) Identify and briefly consider **one disadvantage** of each of the **three** rules (approaches) that you have described in your answer to 3(a). (10 marks)
- 4 (a) Identify and briefly describe **three** forms of delegated legislation. (10 marks)
- (b) Explain and discuss **both** judicial **and** parliamentary controls over delegated legislation. (20 marks)
- 5 (a) In the context of the doctrine of precedent, explain the importance of *ratio decidendi*, *obiter dicta* and law reporting. (15 marks)
- (b) Outline how judges can avoid following precedent and discuss the advantages of their doing so. (15 marks)

END OF QUESTIONS