

LAWINT3R

**UNIVERSITY COLLEGE LONDON**

*University of London*

**EXAMINATION FOR INTERNAL STUDENTS**

*For the following qualifications:-*

*LL.B.*

**LL.B. Intermediate: Public Law (Resit Paper)**

COURSE CODE : LAWSINT3  
DATE : 02-SEP-04  
TIME : 10.00  
TIME ALLOWED : 2 hours 30 minutes

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**TURN OVER**

## PUBLIC LAW

Answer **THREE** questions

1. To what extent does the doctrine of the sovereignty of Parliament survive British membership of the European Union and the enactment of the Human Rights Act?
2. Discuss critically the ways in which the Human Rights Act provides new protections for Convention rights against (a) public authorities and (b) private bodies.
3. Explain the doctrines of primacy and direct effect of EC law as developed by the European Court of Justice. How, if at all, are these doctrines justifiable given that they interfere with the sovereignty of the member states?
4. 'The notion of a legitimate expectation is a retrograde step in English Public Law. Designed initially to provide procedural protection, it has developed into a substantive concept which prevents officials from altering their policies in the public interest'.

Discuss

5. The Free Fox Party, which believes that all hunting with dogs should be banned, has fielded candidates for the general election. They have, however, been refused permission by the broadcasting authorities to transmit a political broadcast because it contains "unacceptable images of foxes being torn apart by dogs".

The relevant statute gives power to the broadcasting authorities to regulate broadcasting "in the public interest".

Advise the FFP.

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6. Nina is a pregnant mother of six who applied for asylum when she arrived in the UK in 2002. She and her children have been housed by the Somertime Council since early 2003.

The Housing Benefits Act provides that a person may be evicted from local authority accommodation once the Home Secretary has made a decision to refuse asylum.

On 3 April 2004 the Home Secretary made a decision to refuse Nina's claim for asylum. The decision was not communicated to Nina or her solicitor, but it was sent to the Council.

On 8 May the Somertime Council issued Nina with an eviction order.

Advise Nina.

**END OF PAPER**