

General Certificate of Education
January 2004
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Tuesday 13 January 2004 Afternoon Session

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

Time allowed: 1 hour

Instructions

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

Information

- Σ The maximum mark for this paper is 65.
- Σ Mark allocations are shown in brackets.
- Σ 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) Explain how the doctrine of precedent operates within the English system of case law. (20 marks)
(b) Discuss the advantages of the system of precedent. (10 marks)
- 2 (a) Identify the different forms of European Union legislation and explain how they become part of English law. (15 marks)
(b) Briefly explain what is meant by Parliamentary supremacy and discuss the extent to which UK membership of the European Union has affected **both** Parliament **and** the courts. (15 marks)
- 3 (a) Describe any **three** influences on Parliament as a law maker. (15 marks)
(b) Identify and explain the advantages and disadvantages of any **two** of those influences. (15 marks)
- 4 (a) Explain what is meant by delegated legislation. Outline how this form of legislation is controlled. (20 marks)
(b) Consider the advantages and disadvantages of delegated legislation. (10 marks)
- 5 (a) Explain the different **methods** used by judges when interpreting the meaning of an Act of Parliament. (20 marks)
(b) Choose **one** of the methods explained in your answer to 5(a). Briefly consider the advantages and disadvantages of this method. (10 marks)

END OF QUESTIONS