

General Certificate of Education
January 2005
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Thursday 13 January 2005 Afternoon 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 major features of the doctrine of judicial precedent in the English system of case law. *(20 marks)*
(b) Consider **three disadvantages** of the doctrine of judicial precedent. *(10 marks)*
- 2 (a) Outline **three** influences on Parliament as a law maker. *(15 marks)*
(b) Identify and discuss **one advantage** of **each** of the influences that you have outlined in your answer to 2(a). *(15 marks)*
- 3 (a) Identify and outline the functions of any **three** institutions of the European Union. *(15 marks)*
(b) Outline what is meant by the doctrine of parliamentary supremacy and briefly discuss **two** possible limitations to this doctrine. *(15 marks)*
- 4 (a) Using examples, briefly explain the meaning of delegated legislation. Include in your answer an outline description of how **Parliament** exercises control over the process of delegated legislation. *(20 marks)*
(b) Briefly discuss **three advantages** of delegated legislation as a source of law. *(10 marks)*
- 5 (a) Judges use a range of **rules** (approaches) and **aids** to interpreting an Act of Parliament.
Explain how **two** of these rules and **one** of these aids are used by judges in interpreting a statute. *(20 marks)*
(b) Choose **one** of the rules (approaches) to statutory interpretation.
Discuss the advantages and disadvantages of this particular rule (approach). *(10 marks)*

END OF QUESTIONS