

General Certificate of Education
January 2006
Advanced Subsidiary Examination



LAW
Unit 1 Law Making

LAW1

Friday 13 January 2006 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 marked.
- Give reasoned answers. Where appropriate, make reference to authority.

Information

- The maximum mark for this paper is 65.
5 of these marks will be awarded for the Quality of Written Communication.
- The marks for questions are shown in brackets.
- You are reminded of the need for good English and clear presentation in your answers. All questions should be answered in continuous prose. Quality of Written Communication will be assessed in all answers.

Answer **two** questions.

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

- 1 (a) Describe the system of judicial precedent in English law and briefly explain how judges can avoid following precedent. *(20 marks)*
(b) Briefly discuss **three** advantages of the system of judicial precedent. *(10 marks)*
- 2 (a) Describe, using examples, the different forms of delegated legislation. *(15 marks)*
(b) Identify and discuss **three** advantages of Parliament delegating its law-making powers to others. *(15 marks)*
- 3 (a) Briefly describe both the composition and role of the Council of Ministers, the European Commission and the European Parliament in the creation of European Union law. *(15 marks)*
(b) Identify and discuss any **three** ways in which UK membership of the European Union has affected English law. *(15 marks)*
- 4 (a) Explain and illustrate **three** rules (approaches) that can be used by judges when interpreting a statute (Act of Parliament). *(20 marks)*
(b) Discuss the advantages of any **two** of the rules of (approaches to) statutory interpretation. *(10 marks)*
- 5 (a) Using examples, describe **three** different influences operating on Parliament before **and/or** during the legislative process. *(20 marks)*
(b) Choose **one** of the influences you have described in your answer to part (a). Briefly discuss advantages **and** disadvantages associated with that influence. *(10 marks)*

END OF QUESTIONS