



GCE AS

B150U10-1



TUESDAY, 6 OCTOBER 2020 – AFTERNOON

LAW – AS component 1

The Nature of Law and the English Legal System

1 hour 30 minutes

B150U101
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ADDITIONAL MATERIALS

A WJEC pink 16-page answer booklet.

INSTRUCTIONS TO CANDIDATES

Section A: Answer **three** questions – questions 1 **and** 2 plus **either** question 3 **or** question 4.

Section B: Answer **one** question – **either** question 5 **or** question 6.

Write your answers in the separate answer booklet provided.

Use black ink or black ball-point pen.

INFORMATION FOR CANDIDATES

The number of marks is given in brackets at the end of each question or part-question.

The quality of your extended response will be assessed in answers to the following questions: **3(b)**, **4(b)**, **5(b)** and **6(b)**.

You are advised to spend approximately 55 minutes on Section A, and approximately 35 minutes on Section B.

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Section A

*In Section A, you must answer **three** questions.
Answer **both** questions 1 and 2 plus **either** question 3 or 4.*

Questions 1 and 2 require you to demonstrate knowledge and understanding of the English legal system and legal rules and principles, and the nature of law.

Credit will be given for the use of relevant supporting case law and authority.

*Answer **both** questions 1 and 2.*

1. Explain the use of the Practice Statement in relation to judicial precedent. [6]

2. Explain the judicial controls on delegated legislation. [6]

Answer **either** question 3 or question 4.

You must answer **both** part (a) and part (b) of your chosen question.

Part (a) requires you to demonstrate knowledge and understanding of the English legal system and legal rules and principles, and the nature of law.

Part (b) requires you to apply legal rules and principles and the nature of law to a given scenario in order to present a legal argument using appropriate legal terminology.

Credit will be given for the use of relevant supporting case law and authority.

Either,

Question 3

Read the text below and answer part (a).

'In addition to the main rules of interpretation there are a number of secondary aids to the construction of statutes available to a Judge and these are often neglected.'

- (a) Explain the extrinsic aids available to a judge when interpreting a statute. [6]

Read the extract and scenario below and answer part (b).

*The **Fishing in Controlled Waters Act 2017** was passed following a Law Commission report on the over-fishing of at risk fish stocks in UK waters. The report found that due to over-fishing of certain types of fish, there was a serious risk of extinction of certain types of fish from UK waters without the introduction of fishing quotas and the regulation of fishing activities.*

Fishing in Controlled Waters Act 2017

Section 1: It is an offence for the owner of a boat during the course of a business to use nets for fishing in controlled waters.

Section 2: 'Controlled waters' means waters between half a mile and three miles from the shore.

Malcolm owns a small pleasure boat and takes parties of holiday-makers for trips one mile from the shore. During one of the trips, Bob used a small net and caught a few small fish. Upon returning from the trip, Malcolm was arrested for fishing contrary to Section 1 of the Act.

- (b) Using your knowledge of statutory interpretation, advise Malcolm as to whether he has committed an offence. [18]

Or,

Question 4

Read the text below and answer part (a).

‘Under the ‘ten-minute’ rule, any MP can make a speech of up to ten minutes in support of a legislative change.’

- (a) Explain the different types of Bill that can be introduced by MPs in Parliament. [6]

Read the scenario below and answer part (b).

Jessica is a back bench MP who has won the right to introduce a Private Members’ Bill which would change the law on engine emissions in the UK. The House of Lords has previously objected to such changes in the law and early commentary seems to indicate that Jessica would face similar opposition with this Bill.

- (b) Using your knowledge of the Parliamentary procedure, advise Jessica as to the stages her proposed law would take in Parliament along with any potential difficulties it could face. [18]

Section B

In Section B, you must answer either question 5 or question 6.

You must answer both part (a) and part (b) of your chosen question.

Part (a) of your chosen question requires you to demonstrate knowledge and understanding of the English legal system and legal rules and principles, and the nature of law.

Part (b) of your chosen question requires you to analyse and evaluate legal rules, principles and concepts, and the nature of law.

Credit will be given for the use of relevant supporting case law and authority.

Either,

Question 5

- (a) Explain the eligibility criteria required to become a judge. [6]
- (b) Analyse and evaluate the independence of the judiciary. [18]

Or,

Question 6

- (a) Explain the role of tribunals in the English legal system. [6]
- (b) Analyse and evaluate the advantages and disadvantages of lay magistrates. [18]

END OF PAPER

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