

UNIVERSITY OF BOLTON

SCHOOL OF LAW

LLB LAW

SEMESTER 2 EXAMINATION 2023/24

PUBLIC LAW

MODULE NO: LAW4020

Date: Thursday 16th May 2024

Time: 2.00pm – 2.30pm

INSTRUCTIONS TO CANDIDATES:

The multiple-choice section contains 30 questions, ALL of which should be attempted.

The examination amounts to 30% of your mark in this module.

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

MULTIPLE CHOICE QUESTIONS

PLEASE ANSWER THESE WITHIN YOUR EXAM PAPER BY SELECTING THE CORRECT ANSWER AND NOTING YOUR RESPONSE WITH A CAPITAL A, B, C OR D

EACH QUESTION IS WORTH 1 MARK

Within section A there is only **ONE** correct answer to each question. If you give more than one answer for any multiple-choice question you will receive **NO** marks for that question.

Answers must be completed in *the student answer book provided*. For example, for question 1 write 1 in the left margin followed by the appropriate letter which indicates your answer (a. to d.) on the lined page – the example below demonstrates:

1	a
2	b
3	c
4	d
5	a

Should you wish to qualify your multiple choice answer, please write your qualification in the answer book. Make it clear which question your qualification applies to. Only perform this task if you truly believe it to be necessary.

ANY ANSWERS NOT WRITTEN IN THE ANSWER BOOK WILL NOT BE MARKED.

Please ensure that you write legibly so that there is no doubt what your answer is. It is advisable to answer in capital letters.

The answers expected refer to legal *terms of art*. Your answers should therefore relate to this professional vocabulary and not simply to the *general* meaning of words and expression.

Both question paper and answer book *must* be handed in at the end of the examination.

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

You must attempt ALL questions

Constitutions

1. Which one of the following is correct about a constitution?
 - a) it is the set of principles and rules by which a country is organised, and it is usually contained in one document
 - b) It is a set of rules aimed at punishing criminal offenders
 - c) it is a set of principles that regulates international organizations and how contracts are made.
 - d) it is a set of international frameworks and principles that regulate the affairs of international organisation

2. Which one of the following is correct?
 - a) The UK has an unwritten constitution.
 - b) The UK has a single document that it can refer to as its constitution.
 - c) The UK has a written constitution
 - d) The Human Rights Act 1998 is the UK's Constitution

3. What kind of "system" does England and Wales operate under?
 - a) A civil law system
 - b) A common law system
 - c) An equitable system
 - d) None of the options given is correct

4. Who among the following is the statement "Constitution is not the act of a government, but of a people constituting a government, and a government without a constitution is power without a right" credited to?
 - a) Boris Johnson
 - b) Karl Marx
 - c) Lord Denning
 - d) Thomas Paine

5. Choose the correct statement:
 - a) The UK's constitution can be described as federal and monarchical.
 - b) The UK is a republic.
 - c) The UK's constitution can be described as unitary and monarchical.
 - d) The UK's constitution can be described as a federal republic.

Please turn the next page

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

Constitutional Conventions and Ministerial Responsibility

6. Which of the following is the best definition of royal assent?
- a) The King's agreement that is required to make a Bill into an Act of Parliament (law)
 - b) The King's meeting with the Prime minister after the general election
 - c) The King's speech prepared on the State Opening of Parliament
 - d) The Prime minister's statement outlining the fiscal policies of the government
7. Which of the following documents lays down detailed rules for the conduct of government and Ministers?
- a) Ministerial code
 - b) Judicial precedent
 - c) House of Commons Powers
 - d) Magna Carta.
8. Which of the following is correct regarding the courts' attitude towards constitutional conventions?
- a) The courts will sometimes enforce constitutional conventions.
 - b) The courts will enforce constitutional conventions.
 - c) The courts will recognise but not enforce constitutional conventions.
 - d) The courts will not allow constitutional conventions to form part of a legal argument.

Parliamentary Sovereignty

9. Which one of the following describes what Parliament consists of?
- a) The Supreme Court, Court of Appeal, and High Court
 - b) The Prime Minister, Cabinet ministers, and the House of Lords
 - c) The King, House of Commons, House of Lords
 - d) The Supreme Court, House of Commons, and House of Lords
10. Can an Act of Parliament be impliedly repealed by a later Act that contradicts the earlier the earlier act?
- a) Yes, even where the wording of the earlier Act suggests that it cannot
 - b) No
 - c) In some instances
 - d) Only where the wording of the earlier Act of Parliament allows for this

Please turn the next page

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

11. Which one of the following best describes parliamentary sovereignty?
- a) The Parliament is the supreme legal authority in the UK, which can enact or repeal any law.
 - b) The Supreme Court can enact or repeal any law.
 - c) The king has the power to enact laws that the parliament must follow.
 - d) The executive is the supreme legal authority in the UK, which can enact or repeal any law.
12. With regard to the traditional view of parliamentary sovereignty, which one of the following is most accurate?
- a) Parliament cannot enact a law which conflicts with the European Convention on Human Rights.
 - b) Parliament can enact a law which conflicts with the European Convention on Human Rights.
 - c) Parliament can only enact a law which complies with the UK's international obligations, including the European Convention on Human Rights.
 - d) The European Convention on Human Rights requires that certain fundamental rights are protected, and Parliament cannot legislate in a way that conflicts with these.
13. Which of the following best describes a Private Bill?
- a) Legislation initiated by an MP or a Peer.
 - b) Legislation that applies to the public generally.
 - c) Legislation concerned with financial matters.
 - d) Legislation that applies to particular individuals or organisations.
14. Which one of the following is most accurate about the Parliament Acts of 1911 and 1949?
- a) A Bill enacted under the Parliament Acts 1911 & 1949 is not a full Act of Parliament.
 - b) A Bill enacted under the Parliament Acts 1911 & 1949 may be ruled invalid by the courts if it affects the personal interests of the Monarch.
 - c) A Bill enacted under the Parliament Acts 1911 & 1949 may become a valid Act of Parliament without the consent of the House of Lords.
 - d) Under the Parliament Acts 1911 & 1949 the most the House of Lords may do is to delay a Bill from becoming an Act for three years.

Please turn the next page

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

Legislation that applies to particular individuals or organisations.

The Rule of Law

15. Which of the following is not given by Dicey as a principle of the rule of law?

- a) The law should apply equally to all.
- b) No one should be punished except for a breach of the law established in the ordinary courts.
- c) The Government should not possess wide discretionary or arbitrary power.
- d) The Government is bound by international law and must respect its international obligations

16 Which of the following is a benefit of the rule of law?

- a) Bureaucratic government procedures are reduced
- b) Government officials can act on their own instincts in emergencies
- c) Citizens are protected from arbitrary and oppressive uses of government power
- d) Government decisions are based on the will of the majority

17. Which of one the following is the most accurate description of the Rule of Law?

- a) A rule made by Parliament
- b) No one is above the law
- c) Guidance on how rules should be applied
- d) The ruling and decisions of a court

Separation of Powers

18. What phrase is sometimes used to refer to the way in which each organ of the state acts to prevent an abuse of power by the other two?

- a) Balance of power.
- b) Checks and balances.
- c) Co-operation.
- d) Fusion of power.

19. The principle of separation of powers requires that the organ of the state be divided among which three arms of state?

- a) Executive, Government and Judiciary.
- b) Executive, Congress and the Courts.
- c) Executive, Legislature and the Judiciary.
- d) Executive, Legislature and the Crown

Please turn the next page

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

20. Which of the following is not usually considered an aspect of the principle of separation of powers?
- a) No arm of state should control or interfere in the work of the other two.
 - b) Judges should be independent from Government.
 - c) No arm of state should exercise powers which more properly belong to either of the other two.
 - d) Government Ministers should be members of either the House of Commons or the House of Lords.
21. Which branch is responsible for interpreting the law?
- a) Executive
 - b) Judiciary
 - c) The Prime Minister
 - d) Legislature
22. Who is responsible for creating the concept of Separation of Powers?
- a) Lincoln
 - b) Montesquieu
 - c) Adam Smith
 - d) Barack Obama
23. Which of the following statements best describes the function of a legal system?
- a) Protection of individual rights and liberties
 - b) Maintenance of public order
 - c) Conferral of obligations
 - d) All of the options given are correct
24. Which one of the following is the current Prime Minister of the United Kingdom?
- a) Boris Johnson
 - b) David Cameron
 - c) Liz Truss
 - d) Rishi Sunak

Judicial review - introduction and procedure

25. The English translation of the *Nemo iudex in causa sua* rule is:
- a) No one is judge in their own case
 - b) One can be a judge in your case
 - c) Only one judge is allowed in a criminal case
 - d) No more judges in cases, jury decides

Please turn the next page

University of Bolton
School of Law
LLB Law
Semester 2 Examinations 2023/24
Public Law
Module No: LAW4020

26. The English translation of the *audi alteram partem* rule is:
- Hear a man in his own cause.
 - Hear the other side.
 - Hear a case fairly
 - Hear a case impartially.
27. Which of the following does **NOT** describe judicial review?
- Court proceeding where a judge reviews the lawfulness of a decision or action made by a public body.
 - The process whereby people can challenge the exercise of power, usually by a public body.
 - procedure by which the courts ensure that those exercising power derived from an Act of Parliament do so lawfully.
 - The process of appealing a decision of a Court
28. The general time limit for bringing a claim for Judicial review is:
- If possible, within 3 months after the grounds to make the claim first arose
 - If possible, within 6 months after the grounds to make the claim first arose
 - Promptly and in any event not later than 3 months after the grounds to make the claim first arose
 - Promptly and in any event not later than 6 months after the grounds to make the claim first arose

Human Rights – Introduction

29. Which of the following Legislation sets out the fundamental rights and freedoms that everyone in the UK is entitled to?
- The Act of Parliament
 - The Human Rights Acts 1998
 - The Civil Procedure Rules 1998
 - The Equality Act 2010
30. Which of the following statements is true?
- The Human Rights Act 1998 incorporates the European Convention on Human Rights into UK law
 - The Human Rights Act 1998 allows a court to invalidate primary legislation
 - The Human Rights Act 1998 allows any person with a reasonable case to bring a case before a court.
 - The Human Rights Act 1998 incorporates the EU charter of fundamental rights into UK law

END OF QUESTIONS