**Matr. number ........................ Exam Date…………........... Name .............................................. CREDITS: 6 CFU 🞎 / 3 CFU 🞎 Time: 90 minutes / 60 minutes Points: 90 / 60**

Please complete the information above. Also write today’s date and your name NOW on your separate ANSWER SHEET. You must write ALL YOUR ANSWERS on your separate answer sheet.

Write clearly and copy the Exercise letter (A, B etc) and your answers accurately onto your answer sheet, as in the examples. ***Write each answer on a separate line.***

## **6 CFU: you will complete the entire paper / 3 CFU: you will complete Exercises C and G, you will omit Exercise D, and select 6 elements each from Exercises A, B, E and F.**

**Exercise A DEFINITIONS I *10 points / 6 points (select 6)***

***Select the correct term from the alternatives below (a-k)***

***🡺 EXAMPLE: ON YOUR ANSWER SHEET, WRITE:* Exercise A 1. = j) Treaty law *etc.***

|  |  |
| --- | --- |
| 1. A major source of international law 2. To take criminal proceedings against someone 3. The origin of a legal rule recognised in a system 4. Volumes containing collections of case law 5. To modify a legal provision 6. The doctrine of binding precedent 7. An official document giving authority to do something, e.g. arrest a person 8. Transposition of a treaty into domestic law 9. To kill with malice aforethought 10. The body of people who have the right to vote 11. To abrogate a legal provision | 1. **Electorate** 2. **Incorporation** 3. **Law reports** 4. **Source** 5. **Stare decisis** 6. **To amend** 7. **To murder** 8. **To prosecute** 9. **To repeal** 10. **Treaty law** 11. **Warrant** |

**Exercise B SEE KEY BELOW  *20 points / 12 points (select 6)***

***Provide a simple, correct definition or explanation in English for each term below, possibly using examples from the course. 🡺 EXAMPLE: On your answer sheet, write:* Exercise B 1. A beneficiary is a person who receives property left to him or her under a will OR: 1. A beneficiary is a person designated to receive property in a will OR: 1. In Shakespeare’s will, his daughter Judith was a beneficiary because he left her a sum of money**

|  |
| --- |
| 1. **A beneficiary** 2. **A judge** 3. **A witness** 4. **Lawful** 5. **A contract** 6. **The Supreme Court (of England and Wales)** 7. **Enlargement (EU)** 8. **To enact** 9. **The Constitutional Reform Act 2005** 10. **Freedom from torture** 11. **Citizens’ Initiative (EU)** |

**Exercise C Acronyms and Institutions *10 points / 10 points***

***PART ONE - Write the correct term in full (numbers 2-6).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise C 1. = Security Council Resolution**

**1. SC Res**

**2. ECtHR European Court of Human Rights**

**3. EU European Union**

**4. ANC African National Congress**

**5. MP Member of Parliament**

**6. UDHR Universal Declaration of Human Rights**

***PART TWO - Give the full name of the appropriate body or institution (numbers 8-12).***  *For an extra point give the name of the individual who currently holds the office, if appropriate.*

***🡺 EXAMPLE: On your answer sheet, write:* Exercise C 7. = The Council of Europe**

1. **Association of 47 European states today which established the ECHR.**
2. Legal name for the UK legislature. The Queen in Parliament
3. Principal judicial organ of the UN which sits at The Hague, NL**. International Court of Justice**
4. **The UK head of state. The Monarch/Sovereign/(Queen) (+1 Queen Elizabeth II)**
5. **The capital of this country, part of the UK, is Belfast. Northern Ireland/Ulster**
6. This EU institution is responsible for authoritative and uniform interpretation of the Treaties. European Court of Justice/ Court of Justice of the European Union

**Exercise D Collocations  *10 points / 0 (omit)***

***PART ONE - Select the most appropriate alternative (numbers 2-6).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise D 1. = panel**

1. **Mandela describes in his autobiography how the verdict was reached by a \_\_\_\_\_\_\_\_\_\_ of 3 judges.**

***jury/panel/gang/group***

1. The ECHR provides for the collective \_\_\_\_\_\_\_\_\_\_ of certain rights declared in the UDHR.

*application/enforcement/use/signature*

1. By \_\_\_\_\_\_\_\_\_\_ the Monarch never refuses the Royal Assent.

*agreement/custom/usage/convention*

1. Freedom from torture is a/an \_\_\_\_\_\_\_\_\_\_\_\_ right in the ECHR.

*absolute / qualified / total / derogable*

1. **The doctrine of \_\_\_\_\_\_\_\_\_\_ precedent is at the core of all common law legal systems.**

***mandatory/persuasive/binding/obligatory***

1. Constitutional \_\_\_\_\_\_\_\_\_\_\_ was essential to give women the vote after WWI.

*reform/amendment/reformation/change*

***PART TWO - Complete the sentence with the most appropriate word or phrase (numbers 8-12).***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise D 7. = not guilty**

**7. How does the defendant plead: guilty or \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ?**

1. There can be no discrimination in the ENJOYMENT of rights under the ECHR.
2. The Treaty of Maastricht marked a fundamental new stage in European INTEGRATION **.**
3. **The superior courts may ISSUE/MAKE a declaration of incompatibility under s.4 HRA.**
4. **The accused was FOUND not guilty of murder as he didn’t intend to harm the victim.**
5. **Human rights and FUNDAMENTAL freedoms are guaranteed in democratic constitutions.**

**Exercise E RELATED WORDS  *10 points / 6 points (select 6)***

***Identify one term that does NOT belong in the group.***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise E 1. = Act**

1. **Contract**: \* clauses \* duties \* parties \* Act \* agreement \*
2. **Act of Parliament:** \* judgment \* enacting words \* statute law \* long title \* legislation \*
3. **Convict :** \* sentence \* condemn \* find guilty \* discharge **\* punish \***
4. **Enactment:** \* statutory \* enacted \* unwritten \* codified \* legislative \*
5. **Judge: \* ruling \* judgment \* award of damages \* bill \* declaration\***
6. **Legislation:** \* to amend \* to repeal \* to negotiate \* to enact \* to interpret \*
7. **Parties:** \* contracting \* manslaughter \* litigating \* third \* political \*
8. **Sources of English law:** \* custom \* treaty \* precedent \* statute \* convention \*
9. **Stare decisis:** \* binding precedent \* ratio decidendi \* hierarchy \* persuasive precedent \* authority \*
10. **Treaty:**  \* conviction \* protocol \* recitals \* signatory state \* pact **\***
11. **US Constitution: \* founding fathers \* Congress \* impeachment \* the People \* monarchy \***

**Exercise F WORD FAMILIES  *10 points / 6 points (select 6)***

***Insert the correct form of the term in the blank space.***

***🡺 EXAMPLE: On your answer sheet, write:* Exercise F 1. = judiciary**

1. **JUDGE: All the judges in the legal system are known collectively as the \_\_\_\_\_\_\_\_\_\_\_.**
2. GOVERN: A monarchy is a form of GOVERNMENT in which a king or queen acts as head of state.
3. HEAR: The right to a fair trial includes the right to be HEARD by an impartial judge.
4. IMPLEMENT: International obligations should be IMPLEMENTED at national level.
5. JUDGE: the common law system is based on JUDICIAL precedent.
6. PRESERVE: The PRESERVATION of peace and maintenance of order are duties of every State.
7. PRISON: In many countries of the world, people are IMPRISONED for expressing their opinions.
8. PROSECUTE: PROSECUTION/PROSECUTING is the responsibility of the CPS in England and Wales.
9. PROVIDE: The main body of a contract consists of the operative PROVISIONS .
10. SCOTLAND: The SCOTTISH Parliament has its seat at Holyrood.
11. STATUTE: The English courts are responsible for STATUTORY interpretation.

**Exercise G WRITTEN COMMENT  *20 points / 20 points***

**Select ONE of the following topics, and write from 100 to 150 words in answer to the question. Take care to express yourself in appropriate language, and to include relevant legal aspects.**

1. Discuss the text-type *statute*, illustrating your answer with an Act of your choice that you have studied in detail. Explain the importance of statute law in the English legal system.

2. **Describe the composition of the UK Parliament and discuss the supremacy of the House of Commons.**

3. Explain the provisions of the Scotland Act 1998 and discuss the importance of this constitutional reform for the unity of the United Kingdom.

4. **What are the *founding Treaties* in EU law? Introduce some important Articles of the TEU or the TFEU.**

5. Explain the obligation assumed by European states in Article 1 ECHR and discuss one Convention right from Section I ECHR in detail.

6. Discuss the abolition of the death penalty in ECHR law. Could this penalty be reintroduced in the UK?

**Exercise B These are POSSIBLE CORRECT ANSWERS**

|  |
| --- |
| 1. **A beneficiary** 2. **A judge is a member of the judiciary; he or she hears and decides disputes in a court. E.g. a High Court judge / The judge misdirected the jury** 3. **A witness is a person who testifies in a trial / A witness is examined by the parties and gives evidence about facts in a trial** 4. **Lawful – adjective, according to law, legal** 5. **A contract is a legally binding agreement between two or more parties** 6. **The Supreme Court (of the United Kingdom) is the highest court in the UK hierarchy; its decisions bind all the other courts. (+ bonus: The Supreme Court was established by the Constitutional Reform Act 2005 to replace the judicial function of the House of Lords)** 7. **Enlargement (EU) Expansion of the European Union when a new Member State joins** 8. **To enact – to make into law by formal legislative procedure** 9. **The Constitutional Reform Act 2005 is a common law constitutional statute; it established the Supreme Court of the UK** 10. **Freedom from torture is one of the fundamental freedoms, it is enshrined in Article 3 ECHR and is an absolute right.** 11. **Citizens’ Initiative (EU) At least one million citizens from a number of Member States can petition the Commission to request a legislative proposal; it was introduced by the Lisbon Treaty.** |