



Oxford Cambridge and RSA

Tuesday 21 May 2019 – Afternoon

AS Level Law

H015/02 Law making and the law of tort

Time allowed: 1 hour 30 minutes



You must have:

- the OCR 12-page Answer Booklet
(OCR12 sent with general stationery)

INSTRUCTIONS

- Use black ink.
- Answer **all** the questions.
- Write your answers in the Answer Booklet. The question number(s) must be clearly shown.

INFORMATION

- The total mark for this paper is **80**.
- The marks for each question are shown in brackets [].
- Quality of extended response will be assessed in questions marked with an asterisk (*).
- This document consists of **4** pages.

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SECTION A

Law making

Answer **all** the questions.

- 1 Describe the controls exercised over delegated legislation by Parliament. [10]
- 2 Explain the ways in which the Law Commission contributes to law reform. [10]
- 3 Describe the functions of **both** the European Parliament **and** the European Commission. [10]
- 4 Discuss the impact of decisions of the Court of Justice of the European Union on the law of England and Wales. [10]

SECTION B**Law of tort**

Read the scenario and answer **all** the questions.

Tina belongs to the 'GetFitQuick' gymnasium and visited the gymnasium to use the running machine. Earlier in the day water had dripped onto the running machine from a leak in the roof. When Tina switched on the running machine she received an electric shock. The shock caused Tina to fall and hurt her arm. A member of staff had previously notified the GetFitQuick management that the roof leaked.

Tina was taken to hospital and an X-ray confirmed she had broken her arm. A plaster cast was put on her arm. The cast is to stay in place for six weeks. Tina is self-employed and works from home decorating cakes and will be unable to work during this time.

- 5 Explain the way in which a breach of duty of care is established in a negligence claim. [10]
- 6 Advise whether or not Tina will be able to make a successful claim under the Occupiers' Liability Act 1957. [10]
- 7 Advise Tina what remedies she may claim if GetFitQuick are found liable. [10]
- 8* Discuss the extent to which the requirement to prove fault in negligence is unfair on the claimant. [10]

END OF QUESTION PAPER



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