

**Modified Enlarged 24pt
OXFORD CAMBRIDGE AND RSA EXAMINATIONS**

Tuesday 21 May 2019 – Afternoon

AS Level Law

H015/02 Law making and the law of tort

**Time allowed: 1 hour 30 minutes
plus your additional time allowance**

**YOU MUST HAVE:
the OCR 12-page Answer Booklet
(OCR12 sent with general stationery)**

READ INSTRUCTIONS OVERLEAF



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 (*).

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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