

GX 1687

**Ollscoil na hÉireann, Gallimh  
National University of Ireland, Galway**

**Semester II Examinations, 2003/2004**

<b>Exam Code(s)</b>	1BA1
<b>Exams(s)</b>	1 <sup>st</sup> Bachelor of Arts (Legal Science) Erasmus & Occasional
<b>Module Codes(s)</b>	(LW100 Umbrella Code) LW103.II
<b>Module(s)</b>	Irish Legal Systems
<b>Paper No.</b>	Paper No. 2
<b>Repeat Paper __ Special Paper __</b>	
<b>External Examiner(s)</b>	Mr. Ray Byrne
<b>Internal Examiner(s)</b>	Ms. Ciara Smyth
<b>Instructions</b>	Answer <b>THREE</b> questions
<b>Duration</b>	<b>TWO</b> Hours.
<b>No. of AnswerBooks</b>	
<b>Requirements:</b>	
<b>Handout</b>	
<b>MCQ</b>	
<b>Statistical Tables</b>	
<b>Graph Paper</b>	
<b>Log Graph Paper</b>	
<b>Other Material</b>	The Irish Constitution 1937
<b>Department(s)</b>	Law

PTO

1. Describe how the principle of *state decisis* operates in Irish courts. In your answer, describe the vertical and horizontal dimensions of *stare decisis*, and explain whether the principle is a rigid or flexible one.
2. Your friend has been charged with the indictable offence of violent disorder, having been accused of involvement in a brawl outside a Galway pub. He is out on bail, pending the trial. He asks you about his options if he is convicted, and in particular whether he has a right of appeal. Give him a full explanation of the appeals mechanism.
3. Discuss **both** of the following:
  - a) Fundamental rights under the Constitution of Ireland 1937 (Bunreacht na hÉireann)
  - b) Constitutional judicial review
4. Describe the legislative process, from the moment a bill is first circulated in one of the houses of the Oireachtas, to when it is eventually signed into law by the President. Refer in your answer to the Article 26 referral mechanism.
5. What is the status of the European Convention on Human Rights in Irish Law? Refer in your answer to the status given to the case law of the European Court of Human Rights by Irish courts.
6. Describe in detail the various sources of EC law and the importance of each.

**END**