

Ollscoil na hÉireann, Gaillimh
National University of Ireland, Galway

Semester I Examinations, 2004/2005

Exam Code(s)	1CL1, 1CW1
Exam(s)	First Bachelor of Corporate Law First Bachelor of Civil Law
Module Code(s)	LW 103.i
Module(s)	Irish Legal Systems
Paper No.	
Repeat Paper	No
External Examiner(s)	Mr. R. Byrne
Internal Examiner(s)	Ms. Ursula Connolly.
Instructions	Please answer <u>Three Questions</u> only. All questions carry equal marks. Please indicate the question you have attempted on the front of your answer book.
Duration	2 hrs.
Department	Law
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	Bunreacht na hÉireann 1937 (The Irish Constitution 1937).

PTO

1. The history of the Irish legal system is as much a political history as it is a legal one. Discuss this statement in light of the development of the Irish legal system from Brehon Law times to modern day.
2. Discuss fully the primary and secondary sources of Irish law. Include in your answer a discussion as to relative importance of each source.
3. The objective of the courts in interpreting legislation is to determine the intention of the legislature.
Critically discuss the rules which the courts employ to achieve this objective.
4. Write a note on any two of the following:
 - (i) Discuss the nature of delegated legislation, illustrating your answer with stated examples.
 - (ii) Critically discuss what is meant by the concept of separation of powers.
 - (iii) Article 26 of Bunreacht na hÉireann 1937 (Irish Constitution 1937).
 - (iv) The natural law approach to constitutional interpretation.
5. Explain fully how the doctrine of precedent operates in the common law system. Include in your answer a discussion of stare decisis, obiter dictum and ratio decidendi.
6. Compare and contrast the criminal jurisdiction of both the Circuit Court and the High Court.

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