

**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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