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THE UNIVERSITY OF THE WEST INDIES

EXAMINATIONS OF JULY 2001

Code and Name of Course: **LA10B CONSTITUTIONAL LAW**

Date and Time: **Thursday , August 02, 2001 at 9:00am**

Duration: **3 HOURS**

INSTRUCTIONS TO CANDIDATES: This paper has 2 pages and 8 questions

Answer **FOUR (4)** Questions.

Answers may be confined to the law of any jurisdiction in the Commonwealth Caribbean unless the context indicates otherwise.

1. What are the bases for judicial review of legislation in the Independent Commonwealth Caribbean?
2. Critically examine the entrenchment devices contained in the constitution of a Commonwealth Caribbean jurisdiction of your choice.
3. Does the Westminster Export Model differ from the Westminster Model? If so, how?
4. 'The introduction of written Constitutions has affected the law relating to parliamentary privilege in the Commonwealth Caribbean.'

Discuss.

5. "[A] great deal can be, and in drafting practice often is, left to necessary implication from the adoption in a new constitution of a government structure which makes provision for a legislature, an executive and a judicature. It is taken for granted that the basic principle of separation of powers will apply to the exercise of their respective functions by these three organs of government." Lord Diplock, *Hinds v. R.*

Discuss.

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6. Would you agree that Constitutions of the independent Commonwealth Caribbean reveal an intention to retain constitutional conventions, but only in a codified form?

7. 'Constitutional protection for judicial independence needs strengthening.'

Discuss.

8. Discuss the view that the wide powers of the executive in the Commonwealth Caribbean states have the potential to subvert the rule of law.

END OF PAPER