

## Unit 1: Chapter 1-2 Law in society and law making:

Acts:

Bicameral:

Common law:

Constitution:

Crown:

Delegated legislation:

Federation:

Government:

House of Representatives:

Legislation:

Legislative Assembly

Legislative Council:

Legislative process:

Parliamentary sovereignty:

Royal Assent:

Senate:

Statutes:

### **Difference between legal and non-legal rules**

**Legal**

**Non-legal**

### **The need for laws:**

1

2

3

4

5

### **Characteristics of an effective law**

1

2

3

4

5

**Sources of law**

1

2

3

**The differences between criminal and civil law**

**1. Aim:**

**2. Parties:**

**3. Initiation of case:**

**Words commonly used in criminal cases**

\*

\*

\*

\*

\*

\*

\*

\*

**Words commonly used in civil cases**

- \*
- \*
- \*
- \*
- \*

- \*
- \*
- \*
- \*
- \*

**Examples of criminal law:**

- \*
- \*
- \*
- \*
- \*

**Examples of civil law:**

- \*
- \*
- \*
- \*
- \*

**The parliamentary system:**

**The Commonwealth parliament**

**Six state parliaments**

**Two territory parliaments**

**History of our political and legal structures:**

**Division of powers between the states and Commonwealth parliaments:**

**Specific powers:**

**Exclusive powers**

**Concurrent powers:**

**Residual powers:**

**Structure of Commonwealth Parliament:**

**Queen's representative**

**Upper House**

**Lower House**

**Role of House of Representatives**

**Role of Senate**

**Structure of State Parliament**

**Queen's representative**

**Upper House**

**Lower House**

**Role of Legislative Council**

**Role of Legislative Assembly**

**Difference between government and parliament:**

- \*
- \*
- \*

**Influencing changes in the law by individuals or groups:**

- 1
- 2
- 3

**Law making through parliament (Victoria- Lower House)**

Initiation and first reading

Second reading

Consideration in detail

Third reading

Upper house

Royal Assent

Enactment



**Law making by subordinate authorities:**

**Statutory authorities**

**Government departments**

**Executive council**

**Local councils**

## Strengths and weaknesses of law making by parliament:

<b>Strengths</b>	<b>Weaknesses</b>
1. Main role is to make law and change the law as required.	1. Parliament is not always sitting.
2. Parliament is elected by the people and is therefore responsible to the people. It is a democratic process.	2. Conflicting views can make this a difficult process.
3. Parliament can investigate whole topics and make comprehensive laws. It has the resources to effectively achieve this.	3. Process can be time consuming and expensive.
4. Provides an arena for debate. Allows for alternative views to be heard. Can also involve the public in this debate.	4. A strong opposition can make the bill difficult to pass.
5. Can delegate its power to subordinate bodies.	5. May not be elected and too many bodies may be making laws
6. Parliament is a supreme law making body.	6. Can only make laws within their jurisdiction.
7. Can make laws in anticipation of future events.	7. Retrospective laws can be made which can result in injustice.