



**Carleton**  
UNIVERSITY

*J*

MIDTERM EXAMINATION  
EXAMINATION  
DECEMBER 2002

DURATION: 3 HOURS

No. of Students: 88

Department Name & Course Number: LAWS 2005 A  
Course Instructor(s) J. MacKenzie

6/1/05/7

AUTHORIZED MEMORANDA  
**OPEN BOOK**

Students **MUST** count the number of pages in this examination question paper before beginning to write, and report any discrepancy to a proctor. This question paper has **TWO** pages.

This examination question paper **MAY** be taken from the examination room.

In addition to this question paper, students require: an examination booklet  yes  no  
a Scantron sheet  yes  no

**CARLETON UNIVERSITY  
DEPARTMENT OF LAW  
CHRISTMAS EXAMINATION**

**LAWS 2005: Introduction to Public Law**

THIS EXAMINATION IS TOTALLY OPEN BOOK

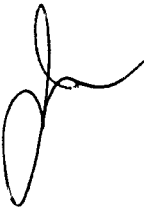
Students may keep the examination paper

This examination constitutes 40% of the final grade.

**INSTRUCTIONS:**

Students should answer four (4) of the eight (8) questions.

All questions are of equal value - 25%

QUESTION ONE

Parliament has just enacted legislation that will control all aspects of snowmobiling. You are asked by the Canadian Snowmobile Ass. to comment on the possible impact of the Constitution Act, on this legislation. Please do so.

QUESTION TWO

The rule of law in Canada is essential only to federalism. Discuss.

QUESTION THREE

Judicial powers have not changed in Canada since confederation. Discuss.

QUESTION FOUR

Canada is an example of a structure of government in which the separation of powers has been perfected. Discuss.

QUESTION FIVE

Discuss the significance of the following:

- (a) the division of powers
- (b) Citizens Insurance v. Parsons
- (c) Crown Zellerbach decision
- (d) judicial independence
- (e) Legislative impact

QUESTION SIX

The courts have been consistent in their treatment of the POGG and trade and commerce powers in Section 91. Discuss the statement.

QUESTION SEVEN

The Judicial Committee of the Privy Council really distorted the interpretation of Sections 91 and 92 of the Constitution Act. Discuss the statement.

QUESTION EIGHT

In the domain of Canadian public law, law and policy are one and the same. Discuss the statement.