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GROUP: 1

LAW 1041 Legal Skills The Library Quiz 2015

The Library seminars are designed to introduce you to finding books, legislation, case reports and journal articles in the Library and online. Note that not all legal information is online and you will need to locate some of the sources in this quiz in the Bill Bryson Library.

The quiz is compulsory and you are expected to answer ALL of the questions.

Please bring your completed quiz to hand in to your tutor in seminar 5 in week beginning 26th October 2015.

A. LIBRARY INFORMATION

1. What time is Bill Bryson Library open Monday to Thursday during term time? (1 mark)

8-12 (midnight) ✓

2. How many books can an undergraduate student at Durham borrow at one time? (1 mark)

20 ✓

3. How short is Short loan? (1 mark)

4 hours ✓

4. How long is Standard loan for undergraduates? (1 mark)

3 weeks ✓

5. Use the catalogue to find the shelfmark for:

Finch, Emily and Fafinski, Stefan. *Legal Skills*. 4th edition 2013. (1 mark) 340.0711 ✓

a) How many copies are there in the Bill Bryson Library? (1 mark)

5 ✓

F10

b) Do any college libraries also have copies? (1 mark)

1: Trenchard ✓

7

B. LEGISLATION

6. Cindy has been employed by her stepmother as a domestic servant in her stepmother's private home, but is made redundant.

a. Is she entitled to a redundancy payment? (1 mark)

Yes ~~Yes~~ X

b. Which section of the Employment Rights Act 1996 is relevant here? (1 mark)

Part XI Chapter I (Section 155) - Right to a redundancy payment
Subs 8.16(1) X

7 a. What did the Digital Economy Act 2010 increase the penalties relating to illicit recordings to? (1 mark)

£50,000 ✓

b. Which section deals with this? (1 mark)

42(3) ✓

8. Looking at the Firearms Act 1968, can someone without a firearms certificate use a starting pistol at an athletic event? (1 mark)

Yes. (S11(2)) ✓

9. Bill is 16 and goes round to Colin's house. Colin is 17 and has a shot gun and holds a certificate for that shot gun. Can Bill use that shot gun on Colin's premises, whilst Colin is present? (1 mark)

Yes. X S.11(5)

10. Using Halsbury's Laws of England, what is the meaning of "employee"? (1 mark)

An individual who has entered into or works under (or, where work has ceased, worked under) a contract of employment ✓

(4)

C. CASE LAW

11. Give the names of the parties involved in the cases cited below (3 marks)

- [2003] 4 ALL ER 1290 Football Association Premier League Ltd v. Panini UK Ltd
- [2001] EMLR 25 Masquerade Music Ltd v. Springsteen
- [2004] QB 1231 Ali v. Lord Grey School Governors.

12. Find the following report [2004] 1 Lloyd's Rep. 389.

a. Who was the judge? (1 mark)

Richard Seaman AC ✓

b. What was the name of the ship? (1 mark)

MV Martin P. ✓

13. Give the **Weekly Law Report** reference for the case of *Christou and another v Haringey London Borough Council*. (1 mark)

[2013] 3 W.L.R. 796 ✓

14. Who said the following, in the case of *Miller v Jackson* [1977] QB 966: "In summertime village cricket is the delight of everyone."? (1 mark)

Lord Denning M.R. ✓

②

D. JOURNAL ARTICLES

15. Give the name of the author AND the titles of the following articles: (3 marks)

a. (1989) 26 CMLR 595 *Common Market Law Review, the making of a Constitution for Europe*. G. Federico Mancini

b. (1984) 100 LQR 265 *Meaning of objectivity in Contract* W. Howarth.

c. (1991) 54 MLR 281

Modern Law Review, More in expectation than hope
John N. Adams and Richard B. Stewart ✓

16. Give the full journal titles for the following abbreviations: (3 marks)

1. LMCLQ *Lloyd's Maritime and Commercial Law Quarterly*.

2. CLJ *Cambridge Law Journal* ✓

3. CrimLR *Criminal Law Review*. ✓

17. Looking at the 2012 issues of *Journal of Personal Injury Law*, which article questions whether health and safety law is an "albatross"? Give the full reference in OSCOLA format, including author, title of the article, and publication citation. (1 mark)

Nigel Tomkins, "Is health and safety an 'albatross'?",
[2012] *J.P.I.L.* 90 x

18. Who does the author of this article say has described Health and Safety legislation as "an albatross around the neck of British business"? (1 mark)

The Prime Minister (David Cameron) ✓

19. What sort of hotels does an article appearing in (2012) 156(23) SJ 9, deal with? (1 mark)

Divine Hotels ✓

20. Give the title of the article by Anthony Duff that appears in volume 14(4) of the 2008 edition of the journal *Res Publica*. (1 mark)

The Incompleteness of "Punishment as Fair Play": A Response to Duff

21. Give the full reference of the article, including author, article title and citation. (1 mark)

Anthony Duff

The Incompleteness of "Punishment as Fair Play": A Response to Duff (2008) 14(4) Res Publica 277 x

E. LAW COMMISSION

22. Which Law Commission report was published on 14th December 2011? (1 mark)

Intestacy and Family Provision: (Lawson Death Report)

23. Which draft bills are attached to this report? (2 marks)

Intestacy and Family Provision: (Lawson Death Report) Inheritance (Cohabitation) Bill (and alternate version)

F. EUROPEAN LAW

24. Which country was involved in the 2007 Case C-508/06? (1 mark)

Republic of Malta

25. What was this case about? (1 mark)

Failure of member state to fulfill waste management obligations (Deposit of polychlorinated biphenyls)

26. What sector does Council Regulation (EC) No 2013/2006 of 19 December 2006 relate to? (1 mark)

Bananas

27a. According to Article 2 of Regulation (EC) No 178/2002 of the European Parliament, what does "food" or "foodstuffs" mean? (1 mark)

"Any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be, ingested by humans"

b. Does this include medicinal products? (1 mark)

No

28. In which court was the case of *Al-Khawaja v United Kingdom* (26766/05), heard on 15th December 2011? (1 mark)

ECtHR Grand Chamber