**Контрольная работа № 2**

Для выполнения контрольной работы №2 необходимо изучить материал разделов (Units) 4, 5, 6 учебника П.В. Рыбин, Л.Ф. Милицина «Английский язык для юристов», М: Проспект, 2012.

**Инструкции по выполнению контрольной работы.**

Задание 1 – переведите текст письменно.

Задания 2, 3, 4 – заполните бланк ответов “Answer Sheet”, который находится в конце контрольной работы.

**Task 1. Translate the text in writing.**

*Sources of law*

Sources of law means the origin from which rules of human conduct come into existence and derive legal force or binding characters. It also refers to the sovereign or the state from which the law derives its force or validity. Several factors of law have contributed to the development of law. These factors are regarded as the sources of law. They are: 1 Precedents; 2 Customs; 3 Legislation; 4 Statutory interpretation; 5 Preparatory works.

*Precedents*

Precedent is one of the sources of law. The judgments passed by some of the learned lawyers became another significant source of law. When there is no legislature on particular point which arises in changing conditions, the judges depend on their own sense of right and wrong and decide the disputes. Such decisions become authority or guide for subsequent cases of a similar nature and they are called precedents. The dictionary of English law defines a judicial precedent as a judgment or decision of a court of law. Precedent is more flexible than legislation and custom. It is always ready to be used.

*Customs*

A custom is a rule which in a particular family or in a particular district or in a particular section, classes or tribes, has from long usage obtained the force of law. The dictionary of English law defines custom as a law not written, which being established by long use and consent of our ancestors has been and daily is put into practice. It is an exemption to the ordinary law of the land, and every custom is limited in its application.

*Legislation*

Legislation is that source of law which consists in the declaration of legal rules by a competent authority. Legislature is the direct source of law. Legislature frames new laws, amends the old laws and cancels existing laws in all countries. Before an item of legislation becomes law it may be known as a bill, and may be broadly referred to as "legislation". Legislation can have many purposes: to regulate, to authorize, to proscribe, to provide (funds), to sanction, to grant, to declare or to restrict.

*Statutory interpretation*

Interpretation is a very important function of the court, the process of ascertaining the meaning of letters and expressions by the court is either interpretation or construction. Interpretation is the process of which the court seeks to ascertain the meaning of a particular legislature.

Preparatory works

In some legal cultures some of the documents produced in the process leading up to legislation are subsequently used as guidelines on how to interpret and understand an act of legislation.

**Task 2. Match the words with their definitions**

|  |  |
| --- | --- |
| 1. justice | a. To officially and legally control a country and make all the decisions about taxes, laws, public services etc. |
| 1. administer | b. A set of rules, laws, or principles that tell people how to behave. |
| 1. govern | c. A law or set of laws. |
| 1. constitution | d. The system of laws that has developed from customs and the decisions of judges rather than from laws made by Parliament [ statute law]. |
| 1. interpret | e. To provide or organize something officially as part of your job. |
| 1. code | f. An action or official decision that can be used to give support to later actions or decisions |
| 1. precedent | g. A set of basic laws and principles that a country or organization is governed by. |
| 1. legal system | h. The laws and the way they work in a particular country. |
| 1. common law | i.The system by which people are judged in courts of law and criminals are punished |
| 1. legislation | j. To explain the meaning of something. |

**Task 3. Make word combinations:**

|  |  |
| --- | --- |
| 1. executive | a. code |
| 2. international | b. amendment |
| 3.federal | c. regulations |
| 4.civil | d. laws |
| 5. executive | e. power |
| 6. constitutional | f. treaty |
| 7. judicial | g. republic |
| 8. federal | h. Federation |
| 9. parliamentary | i. decisions |
| 10. Russian | j. state |

**Task 4. Read the text and do some tasks given below**

**THE GOVERNMENTAL MODEL IN THE UK**

The governmental model that operates in Britain today is usually described as constitutional monarchy, or parliamentary system. While a monarch still has a role to play on some executive and legislative levels, it is Parliament, which possesses the essential power, and the government of the day, which governs by initiating and controlling political policy and legislation. The correct constitutional definition of Parliament is "Queen-in-Parliament", and all state and governmental business is therefore carried out in the name of the monarch by the politicians and officials of the system.

In constitutional theory the British people hold the political sovereignty to choose their government, while Parliament, consisting partly of their elected representatives in the Commons, possesses the legal sovereignty to make laws.

The various branches of this political system, although easily distinguishable from each other, are not entirely separate. The monarch is formally head of the executive, the legislature and the judiciary.

The legislature, which consists of both Houses of Parliament and formally the monarch, is for most purposes the supreme law-making body.

The executive comprises the sitting government and its Cabinet, together with government ministers of departments headed by ministers or secretaries of state, who all act formally in the name of the monarch. The judiciary is composed mainly of the judges of the higher courts, who determine the common law and interpret Acts of Parliament.

The judiciary is supposed to be independent of the legislative and executive branches of government.

**a) mark the following statements as true (T) or false (F).**

1. The governmental model in the UK is described as parliamentary system.

2. All state and governmental business isn't carried out in the name of the monarch.

3. Parliament possesses the legal sovereignty to make laws.

4. The monarch is the head of the executive, the legislature and the judiciary.

5. The various branches of the UK political system are entirely separate.

**b) choose the correct answer to the question**

***“What is “Queen – in - Parliament”?***

1. The Queen is the head of the state with the leading role in executive and legislative levels.

2. The Queen is the only representative symbol of Great Britain , she has no real power at all.

3. Parliament and the Queen work together in all levels of state.

4. The Queen possesses some legislative and executive duties while Parliament carries out all essential power.

**c) complete the table using information from the text.**

|  |  |
| --- | --- |
| 1. The governmental model of the UK is… | **………..** |
| 1. Parliament possesses the legal sovereignty… | **……….** |
| 1. ………. | to choose their government |
| 1. ……….. | is formally head of the executive, the legislative and the judiciary |
| 1. The legislature consists of… | ……….. |
| 1. ………… | consists of the judges of the higher courts |

**Answer Sheet**

|  |  |
| --- | --- |
| **Task 2** | |
| **1** |  |
| **2** |  |
| **3** |  |
| **4** |  |
| **5** |  |
| **6** |  |
| **7** |  |
| **8** |  |
| **9** |  |
| **10** |  |
| **Task 3** | |
| **1** |  |
| **2** |  |
| **3** |  |
| **4** |  |
| **5** |  |
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| **7** |  |
| **8** |  |
| **9** |  |
| **10** |  |
| **Task 4 a** | |
| **1** |  |
| **2** |  |
| **3** |  |
| **4** |  |
| **5** |  |
| **Task 4 b** |  |
| **Task 4 c** | |
| **1** |  |
| **2** |  |
| **3** |  |
| **4** |  |
| **5** |  |
| **6** |  |