



ATAR course examination, 2017

Question/Answer booklet

POLITICS AND LAW

Please place your student identification label in this box

Student number: In figures

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In words

Time allowed for this paper

Reading time before commencing work: ten minutes

Working time: three hours

Materials required/recommended for this paper

To be provided by the supervisor

This Question/Answer booklet

Number of additional
answer booklets used
(if applicable):

To be provided by the candidate

Standard items: pens (blue/black preferred), pencils (including coloured), sharpener,
correction fluid/tape, eraser, ruler, highlighters

Special items: nil

Important note to candidates

No other items may be taken into the examination room. It is **your** responsibility to ensure that you do not have any unauthorised material. If you have any unauthorised material with you, hand it to the supervisor **before** reading any further.

Structure of this paper

Section	Number of questions available	Number of questions to be answered	Suggested working time (minutes)	Marks available	Percentage of examination
Section One Short answer	4	3	45	30	30
Section Two Source analysis	2	1	35	20	20
Section Three Essay Part A: Unit 3	2	1	100	50	50
Part B: Unit 4	2	1			
Total					100

Instructions to candidates

- The rules for the conduct of the Western Australian external examinations are detailed in the *Year 12 Information Handbook 2017*. Sitting this examination implies that you agree to abide by these rules.
- Section One: Consists of four questions. You must answer three questions. Write your answers in this Question/Answer booklet.

Section Two: Consists of two questions. You must answer one question. Write your answers in this Question/Answer booklet.

Section Three: Consists of two parts each with two questions. You must answer one question from each part. Write your answers in this Question/Answer booklet.
- You must be careful to confine your answers to the specific questions asked and to follow any instructions that are specific to a particular question.
- Supplementary pages for the use of planning/continuing your answer to a question have been provided at the end of this Question/Answer booklet. If you use these pages to continue an answer, indicate at the original answer where the answer is continued, i.e. give the page number.

Section One: Short answer**30% (30 Marks)**

This section has **four (4)** questions. You must answer **three (3)** questions. Write your answers in the spaces provided.

Supplementary pages for the use of planning/continuing your answer to a question have been provided at the end of this Question/Answer booklet. If you use these pages to continue an answer, indicate at the original answer where the answer is continued, i.e. give the page number.

Suggested working time: 45 minutes.

Question 1

(10 marks)

- (a) What does a Federal Parliament consist of, according to section 1 of the Commonwealth Constitution? (2 marks)

- (b) Outline the significance of sections 24 **and** 53 of the Commonwealth Constitution in terms of the relative power of the two Houses of the Commonwealth Parliament. (3 marks)

Question 2

(10 marks)

- (a) Explain what is meant by 'division of powers' in the Australian political and legal system. (2 marks)

- (b) Outline how **one** High Court decision informally changed the Commonwealth Constitution. (3 marks)

Question 3

(10 marks)

- (a) Explain the term 'constitutional monarchy' as it applies in Australia. (2 marks)

- (b) Distinguish between how, in practice, a Governor-General of Australia is appointed and the provisions for the appointment under the Commonwealth Constitution. (3 marks)

Question 4

(10 marks)

(a) Explain what is a 'charter of rights' within Australia's political and legal system. (2 marks)

(b) Distinguish between civil rights and political rights. (3 marks)

Section Two: Source analysis**20% (20 Marks)**

This section has **two (2)** questions. You must answer **one (1)** question. Write your answer in the spaces provided.

Supplementary pages for the use of planning/continuing your answer to a question have been provided at the end of this Question/Answer booklet. If you use these pages to continue an answer, indicate at the original answer where the answer is continued, i.e. give the page number.

Suggested working time: 35 minutes.

Question 5**(20 marks)**

Read **Source 1** and answer **all** the question parts that follow.

Source 1

The following is an edited extract from an article published in the Sydney Morning Herald entitled '*Australian federalism – a case study in pride and prejudice*', written by Geoff Gallop March 1, 2011.

Despite the best intentions of the founding fathers of the Australian Constitution, we have never seen an uncompromised application of the federal principle in the government of our nation.

It wasn't long before a mixture of elements saw power and influence moving to the centre – the financial strength of the Commonwealth, the centralism of the newly emerged Labor Party, the pride and prejudices of Commonwealth politicians and public servants, and the expansive definition of Commonwealth powers by the High Court.

Add to that the necessities associated with two world wars, the internationalisation of government that came with the United Nations and the embrace of centralism by the Liberal Party in recent times and it is clear that 'creeping centralism' is a good way to describe our situation.

As a result, the Commonwealth has more and the States less revenue-raising capacity than they need (vertical fiscal imbalance). In such circumstances the temptation on the part of the Commonwealth to intrude, influence and control is overwhelming.

This being said, the States still play an important role in our system. ...

Question 6

(20 marks)

Read **Source 2** and answer **all** the question parts that follow.

Source 2

The following is an edited extract from ABC News entitled '*WestConnex funding to be scrutinised by Auditor-General after Anthony Albanese, Senate requests*', written by James Bullen and staff, updated Thursday May 19, 2016.

The Federal Government's decision to commit \$3.5 billion to Sydney's WestConnex project will be investigated by the Auditor-General after requests from the Opposition's Anthony Albanese and non-government senators.

The audit will consider whether the Government followed proper processes to ensure value for money before the funds were committed to the New South Wales Government.

Mr Albanese said he requested the audit in January because he believed funding was improperly awarded to the project – a 33 kilometre motorway network linking Sydney's west and south-west with the city, airport and Port Botany.

...

In February, a Greens motion was passed by the Senate requesting the Auditor-General investigate Commonwealth funding approvals for both WestConnex and the Perth Freight Link project.

It followed an Auditor-General report on the now-defunct East West Link project in Melbourne, which made a number of adverse findings ... the report (of the Auditor-General) is expected to be tabled in the Autumn 2017 session of Parliament.

...

Meanwhile, the Federal Government has also accused the Opposition of taking contradictory positions on the WestConnex project in an attempt to win over Green votes in Sydney's inner west.

While Mr Albanese said he requested the audit because the Government abandoned proper process, the federal Minister for Major Projects Paul Fletcher said Labor provided funding for the project when it was in government and Mr Albanese was trying to back away from his previous support for WestConnex.

'What we are seeing is Mr Albanese moving away from WestConnex because he is trying to secure votes from the Greens in his inner city electorate of Grayndler', Mr Fletcher said.

Section Three: Essay**50% (50 Marks)**

This section has **four (4)** questions. Answer **one (1)** question from Part A: Unit 3 and answer **one (1)** question from Part B: Unit 4. Write your answers on the pages following Question 10.

Supplementary pages for the use of planning/continuing your answer to a question have been provided at the end of this Question/Answer booklet. If you use these pages to continue an answer, indicate at the original answer where the answer is continued, i.e. give the page number.

Suggested working time: 100 minutes.

Part A: Unit 3

Answer **one (1)** question from a choice of **two (2)**.

Question 7**(25 marks)**

Analyse whether or not the decline of parliament thesis is applicable to recent Commonwealth Parliaments.

or

Question 8**(25 marks)**

Making reference to particular bills/legislation, analyse the relative power of the Prime Minister and Cabinet compared to that of the Opposition in the lawmaking process of the Commonwealth Parliament.

Part B: Unit 4

Answer **one (1)** question from a choice of **two (2)**.

Question 9**(25 marks)**

Evaluate the extent to which the Australian court system is open and accountable.

or

Question 10**(25 marks)**

Evaluate the extent to which Australia and **one** other country uphold the democratic principles of political representation and judicial independence.

End of questions

ACKNOWLEDGEMENTS

- Question 5** Excerpt from: Gallop, G. (2011, March 1). Australian federalism – a case study in pride and prejudice. *Sydney Morning Herald*. Retrieved March 31, 2017, from www.smh.com.au/federal-politics/political-opinion/australian-federalism--a-case-study-in-pride-and-prejudice-20110228-1bbkw.html
- Question 6** Excerpt from: Bullen, J. (2016, May 19). *Westconnex funding to be scrutinised by auditor-general after Anthony Albanese, Senate requests*. Retrieved March 31, 2017, from www.abc.net.au/news/2016-05-19/westconnex-billions-to-be-audited-albanese-questions-funding/7427150

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