

LLB107 Quiz study guide

statute law/ legislation = law made by the Commonwealth, State and Territory Parliaments

Common law = for present purposes, the law made by judges in the exercise of both common law and equitable jurisdiction.

These sources of law do not exist independently of each other

Importance of stat interpretation

- Used by courts to determine the rights of parties in cases
- Used by lawyers, counsels and courts
- The common law is entangled with statutes
- Almost all judicial work in Aus depends on construing and applying statutes
- Most legal disputes that arise in Aus involve the interpretation of one of more statutes

Public law and statutory interpretation

- Public law = body of legal principles that govern the relationship between state and individuals
- Three main branches of government = parliament, executive and courts
- Parliaments make legislation
- The executive administer legislation
- The courts interpret legislation

Public law principles inform the distribution of powers between the three branches of government.

The rule of law

- Requires the supremacy of law. No one is above the law, it applies to everyone equally
- Operates to constrain the arbitrary exercise of gov power
- The Australian constitution places legal limits on the powers of the Parliament and the executive and those limits can be enforced by courts
- Forms an assumption on constitution

Joseph Raz

- Thin/ procedural conception
- The conditions required for the rule of law are procedural
- The rule of law has two aspects:

1. that people should be ruled by the law and obey it, and
2. the law should be such that people will be able to be guided by it.... [i]f the law is to be obeyed it must be capable of guiding the behaviour of its subjects. It must be such that they can find out what it is and act on it.

The principles that are required to achieve this vary from society to society. However, they may include that:

- laws be prospective rather than retroactive;
- laws be open and clear;
- laws be 'relatively stable' and not changed 'too often';
- open, clear and relatively stable rules and procedures for the making of laws;
- principles of natural justice (including open and fair hearing, absence of bias) be observed in the administration of laws;

Statute Law Study Guide

Ronan Cormacain



Statute Law Study Guide:

Study Guide to John E. Sherry, "The Laws of Innkeepers" Gwen Seaquist, 1993 A study guide for undergraduate students taking a law course as part of their hospitality management program designed as a companion volume to the third edition of *The Laws of Innkeepers* by John E H Sherry It includes summaries of cases and principles detailed in the textbook numerous examples and review questions to help students apply legal principles to practical problems Annotation copyright by Book News Inc Portland OR

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Whittington,2009-06-02 Everything today s CPA candidates need to pass the CPA exam Published annually this comprehensive two volume paperback reviews all four parts of the CPA exam Many of the questions are taken directly from previous CPA exams Volume I contains all study guides and outlines while Volume II contains all problem solutions With 2 700 multiple choice questions and more than 75 simulations these study guides provide all the information candidates need to master in order to pass the computerized Uniform CPA Examination O Ray Whittington PhD CPA CMA CIA Chicago IL is the Ledger Quill Director of the School of Accountancy at DePaul University and vice chair of the Auditing Standards Board of the AICPA His previous positions were the Director of the School of Accountancy at San Diego State University and the Director of Auditing Research for the American Institute of Certified Public Accountants AICPA Patrick R Delaney PhD CPA was the Arthur Andersen LLP Alumni Professor of Accountancy and Department Chair at Northern Illinois University and was author of Audit Sampling An Introduction Fifth Edition 0 471 37590 X **Core Tax Legislation and Study Guide 2022**

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Student Oriented Book The authors have developed this book keeping in mind the following factors

o Interaction of the authors with their students with specific emphasis on difficulties faced by students in the examinations

o Shaped by the author's experience of teaching the subject matter at different levels

o Reactions and responses of students have also been incorporated at different places in the book

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Business Law (Speedy Study Guide) Speedy Publishing, 2014-06-17 Business law is the collection of laws and regulations that advises one as to the manner in which a business can properly operate The laws pertaining to business can be enacted by the courts as well as a legislative body A chart would be helpful as there are as many areas of business law as there are businesses Such a chart would help guide one to the particular area of law which governs the particular business one is operating

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a detailed and innovative way

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