Legal Studies Assessment Support Material

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| **Unit standard** | 27847 | | | | |
| **Title** | Describe law making processes | | | | |
| **Level** | 1 | **Credits** | 4 | **Version** | 3 |

Assessor Guidelines

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| **Notes** The following guidelines are supplied to enable assessors to carry out valid and consistent assessment using this internal assessment resource.  Assessors must manage authenticity for any assessment from a public source, because ākonga/learners may have access to the assessment schedule or ākonga/learner exemplar material. Use of this assessment resource without modification may mean that ākonga/learners' work is not authentic. The assessor will need to change figures, measurements or data sources or set a different context or topic.  While this ASM lends itself to written assessments, there are other activities and approaches that could be taken. Consider the benefits of using different assessment approaches.  See [Gathering evidence of learner achievement](https://www2.nzqa.govt.nz/tertiary/assessment-and-moderation-of-standards/assessment/resources/gathering-evidence-of-learner-achievement/) and [Online Assessor Support](https://www2.nzqa.govt.nz/ncea/ncea-for-teachers-and-schools/assessor-support/catalogue/online-workshops-courses-and-modules/)  Assessors should use innovative, valid and fair ways of recognising achievement, without overburdening themselves or the ākonga/learner with too much assessment. |

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# **Context/Setting**

In this activity, ākonga/learners will describe law making processes in relation to the key steps in two different law-making systems.

The law-making systems may include but are not limited to national systems from New Zealand, local systems from New Zealand, international, historical, customary. At least one system must be from New Zealand.

This activity requires the ākonga/learners to have familiarity with two different contexts: the New Zealand Parliamentary law-making process, and the Federal legislative process in the United States of America.

# **Award of Grades**

* For award with ***Achieved***, law making processes are identified and described in relation to the key steps in two different law-making systems.
* For award with ***Merit***, the description of the law-making processes in two different law-making systems is demonstrated by selecting and applying relevant supporting detail that may include, but is not limited to any one of:
* case studies
* actual examples
* statistics
* legislative time frames.
* For award with ***Excellence***, the description of law-making processes in two different law-making systems is demonstrated by:
* comparing law making systems and their processes
* selecting and applying a range of relevant supporting detail
* drawing clear conclusions.

# **Conditions of Assessment**

Assessors will set the conditions of assessment as appropriate.

# **Assessment activity**

## **Task One**

Identify and describe the key steps in creating a new law (or amending/repealing an existing law) in New Zealand’s Parliament and in the United States federal legislative system.

Describe relevant supporting detail which may include but is not limited to case studies, examples, statistics, time frames.

Complete a comparison of the two systems and their processes and draw clear conclusions. The comparison should reference a range of important similarities or differences, supported by detail.

# **Resource requirements**

Assessors may find the following resources useful in gathering information on the law-making processes.

New Zealand Parliament:

## <https://www.parliament.nz/en/visit-and-learn/how-parliament-works/how-laws-are-made/>

The United States of America federal legislative system:

## <https://www.usa.gov/how-laws-are-made>

# **Additional information**

Teaching and learning guidelines that inform legal studies as it is taught in New Zealand can be found at <https://seniorsecondary.tki.org.nz/Social-sciences/Legal-studies>

# **Assessment Schedule**

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| --- | --- | --- | --- | --- | --- |
| **Unit standard** | 27847 | | | | |
| **Title** | Describe a law making processes | | | | |
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# **Assessment Criteria**

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| --- | --- | --- |
| **Achievement** | **Achievement with Merit** | **Achievement with Excellence** |
| Law making processes are identified and described in relation to the key steps in two different law-making systems. | The description of the law making processes in two different law-making systems is demonstrated by selecting and applying relevant supporting detail that may include, but is not limited to any one of:   * case studies; * actual examples; * statistics; * legislative time frames. | The description of law making processes in two different law-making systems is demonstrated by:   * comparing law making systems and their processes; * selecting and applying a range of relevant supporting detail; * drawing clear conclusions. |

| ****Task**** | ****Achievement**** | ****Achievement with Merit**** | ****Achievement with Excellence**** |
| --- | --- | --- | --- |
| **ONE**  **Outcome 1**  **PC 1.1** | Law making processes in relation to the New Zealand Parliamentary system and the Federal Legislative system in the United States are identified and described in relation to their key steps.  All key steps are identified and described for each system.  A **part** answer could read:  *“…After the Introduction and First Reading, the next step is the Select Committee.*  *The Committees are comprised of Members of Parliament from all political parties although government members will always be in the majority.*  *They exist to consider the clauses of the new law and hear the ideas of people who want to have a say.*  *The next step is the second reading where the person in charge of the Select Committee reports back to Parliament…”* | A **part** answer could read:  *“After the Introduction and First Reading, the next step is the Select Committee. This is automatic except in respect of Bills which relate to taxes or government spending or in extreme situations when Parliament is acting under urgency. For example, the Policing (Storage of Youth Identifying Particulars) Amendment Bill 2011was not referred to a select committee and was passed under urgency.*  *The Select Committees are comprised of Members of Parliament from all political parties although government members will always be in the majority. The committees exist to consider the clauses of the Bill and hear submissions from the general public. They will report back to the House within six months with recommendations about how the Bill could be improved.*  *There are several standings select committees such as one on Justice and Law Reform; however, an ad hoc committee could be established to deal with a Bill in a particular area.”* | A **part** answer could read:  *“The last step in both law-making processes is for the bill to be signed by the Head of State. In New Zealand, it is unlikely that the Queen or her representative in New Zealand, the Governor General, would ever decline to give their assent to a law except in the most extreme of circumstances, in USA, however, it is not at all unusual for the President to ‘veto’ a law. For example, President Barack Obama used the veto in office.”* |

Final grades will be decided using professional judgement based on a holistic examination of the evidence provided against the criteria in the unit standard.