Legal Studies Assessment Support Material

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| **Unit standard** | 27850 | | | | |
| **Title** | Describe New Zealand's system of government and the process for forming a government | | | | |
| **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 New Zealand’s system of government and the process for forming a government.

Ākonga/learners are required to demonstrate an understanding of the NZ system, how it elects its MPs and how a government is formed after the election, the participants in that formation, and the Parliamentary system of government.

# **Award of Grades**

* For award with ***Achieved***, New Zealand’s system of government is described in terms of the current voting system in New Zealand, the subsequent process, and participants in the formation of a government, and the parliamentary style of government, in New Zealand.
* For award with ***Merit***, the description of New Zealand’s system of government and the process for forming a government is demonstrated by selecting and applying relevant supporting detail that may include but is not limited to any one of:
* particular facts and legislation;
* present or past events or processes from New Zealand and overseas;
* case law;
* news media reports.
* For award with ***Excellence***, the description of New Zealand’s system of government and the process for forming a government is demonstrated by:
* referring to an actual example of a coalition to show how Government is formed under MMP;
* selecting a range of relevant supporting detail;
* drawing clear conclusions.

# **Conditions of Assessment**

Assessors will set the conditions of assessment as appropriate.

# **Assessment activity**

Develop and deliver a presentation that can be in the form of: a report as a political journalist; a PowerPoint presentation for a seminar; a wiki; or a blog, political style; or equivalent.

This assessment activity has three tasks.

**Task One**

Describe the MMP voting system as used for a General Election in New Zealand; the subsequent process and participants involved in the formation of a government; and makes reference to NZ’s parliamentary style of government.

**Task Two**

Describe in detail the chosen General Election in New Zealand, and the subsequent formation of a government, using relevant supporting detail.

**Task Three**

Describe New Zealand’s system of government. Use the chosen General Election coalition process to show how government is formed under MMP, using a range of relevant supporting detail and drawing clear conclusions.

# **Resource requirements**

Assessors may find the following resources useful:

[New Zealand Parliament](https://www.parliament.nz/en)

## [Vote.nz](https://vote.nz/)

# **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** | 27850 | | | | |
| **Title** | Describe New Zealand's system of government and its formation and operation | | | | |
| **Level** | 1 | **Credits** | 4 | **Version** | 3 |

# **Assessment Criteria**

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| --- | --- | --- |
| **Achievement** | **Achievement with Merit** | **Achievement with Excellence** |
| New Zealand’s system of government is described in terms of the current voting system, the subsequent process and participants involved in the formation of a government, and the operation of the parliamentary system of government, in New Zealand. | The description of New Zealand’s system of government and the process for forming a government is demonstrated by selecting and applying relevant supporting detail that may include but is not limited to any one of:   * particular facts and legislation; * present or past events events or processes from New Zealand and overseas; * case law; * news media reports. | The description of New Zealand’s system of government and the process for forming a government is demonstrated by:   * referring to an actual example of a coalition to show how Government is formed under MMP; * selecting a range of relevant supporting detail; * drawing clear conclusions. |

| **Task** | **Achievement** | **Achievement with Merit** | **Achievement with Excellence** |
| --- | --- | --- | --- |
| **ONE**  **Outcome 1**  **PC 1.1** | *For example –*  *Members of NZ’s Parliament, the House of Representatives, are elected through general elections, using the Mixed Member Proportional (MMP), proportional system.*  *Under MMP there are two votes: one for party lists and one for electorate candidates. General elections for the NZ Parliament have used the MMP voting system since the 1996 Election.*  *The 2008 General Election result: 122 seats*  *National Party 58 seats (41 electorate, 17 list)*  *Labour Party 43 seats (21 electorate, 22 list)*  *Green Party 9 seats (all list)*  *Māori Party 5 seats (all electorate)*  *ACT New Zealand 5 seats (1 electorate, 4 list)*  *United Future 1 seat (electorate) Progressive 1 seat (electorate).*  **Note** – for authenticity, an election other than the 2008 General Election would have to be selected. | *For example –*  *Under the MMP system you have two votes on election day:*   * *a party vote – lets you choose which political party you support* * *an electorate vote – lets you choose a local MP to represent your electorate.*   *Each party must qualify to get into Parliament, by winning at least either:*   * *5 per cent of all the party votes at the elections, or* * *one electorate seat at the elections.* | *For example –*  *You may vote for more than one political party, for example, when you choose an electorate candidate from a party that is different from your party vote.*  *Each party’s share of the MPs in the House of Representatives is decided by its proportion of the party votes.*  *For example, if a party wins ten per cent of the party votes it should have a total of 12 members of parliament (10 per cent of 120).* |
| **TWO**  **Outcome 1**  **PC 1.1** | ***Formation of a government:***  *A government is formed by a party, or parties (in a coalition), with most successful (seats won) candidates.*  *Following the 2008 election the National Party and its leader John Key negotiated a coalition with the ACT, Maori and United Future parties to form a National Government. This gave National a 16-seat majority in the House.*  *Forming a coalition for government: Minor parties make arrangements with major parties – the aim is to get enough seats to form a government with a working majority in the House, particularly for confidence and supply votes.*  *In the NZ Parliament a government must be able to maintain confidence and supply to be able to remain the dominant majority in the House.*  *Confidence: members of Parliament can propose a motion of confidence or non confidence in the government or executive.* *Supply: the government needs money to survive and has to pass bills to supply that money.* | ***Formation of a government:***  *The Governor-General requests the leader of the political party with the support of a* *majority in the House to form a government.*  *In 2008 John Key, as leader of the National Party, negotiated to form a minority government with confidence and supply support from the ACT, Maori and United Future parties.*  *The Labour Party became the official opposition. The Green Party became the third-largest party in Parliament.*  *Prior to the 2008 election the parties expressed views about who they would work with in a future government in a coalition.* | ***Formation of a government:***  *Before the election some parties do express a willingness to form a coalition. For example,*  *ACT and United Future said they would join up with National. National said it wouldn’t work with NZ First.*  *After the election the Maori Party joined in the coalition talks with National.*  *Under MMP voters support the party or parties they want in government but then have to wait after the election to see where the coalition negotiations will go.*  *The Governor-General has to be assured that the leader of the political party proposing to form a government clearly has the support of a majority in the House. Under MMP this process may take longer than under the previous FPP system.*  *Parties in a coalition have a formal agreement to support the government on some legislation but otherwise can vote issue by issue.* |
| **THREE**  **Outcome 1**  **PC 1.1** | *Parliamentary system of government:*  *This is a model of government in which the executive is drawn from and is accountable to, a parliament.*  *The NZ Parliament consists of the Queen of NZ and the House of Representatives. It is unicameral – there is no upper house, just one chamber of representatives – and it is directly elected by universal suffrage. The NZ Parliament is sovereign – no other institution can over-ride its decisions.*  **Note** – for authenticity, an election other than the 2008 General Election would have to be selected. | *The ACT Party increased their seats from 2 in 2005 to 5 in 2008, the Maori Party*  *from 4 in 2005 to 5 in 2008, but NZ First* *went from 7 seats in 2005 to 0 seats in 2008.*  *The National minority government needs guaranteed support to pass legislation, particularly for supply, which provides the money it needs to spend as the government.*  *Under MMP, the executive is still drawn from members of Parliament but not necessarily from just one party: members of minor coalition parties may be appointed as ministers inside or outside of Cabinet.* | *The government does face confidence votes in the House and needs the support of its coalition*  *partners at those times.*  *MMP has changed the way Parliament operates but not the structures. The Westminster style of government still operates.*  *The labels government and opposition are not as clear as under FPP: there are coalition and support arrangements between parties.* |

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