



**FIJI PUBLIC SERVICE**

**EXAMINATION –E**

**31<sup>st</sup> August – 2006**

**PAPER A – THE MACHINERY OF GOVERNMENT**

**Time: 2.5 Hours {9am-12.40pm}  
(10 min. reading time)**

**Total Marks: 100**

**Instructions to Candidates**

1. Ensure that your **index number is written on** the top right hand corner of every sheet of paper you use. Your name **must not** appear anywhere on the answer script.
2. You may use blue or black ink or ballpoint pen. You **must not** use a red pen or pencil and answers written in either of this, the answer script will not be marked.
3. Read each question & instruction very carefully. Note the allocation of marks to each question and distribute your time accordingly.
4. **Ten (10) minutes** is allocated to read the questions, thus, you **must not** start writing until you are told.
5. Use of Mobile phone in the class/ hall is not permitted. It should be switched off before the commencement of the exam.
6. Please note that a candidate will be disqualified from sitting or to continue with the examination if one does not comply with the above and other instructions announced by the invigilator.



## FIJI PUBLIC SERVICE

### EXAMINATION "E": PAPER A

#### THE MACHINERY OF GOVERNMENT

**SECTION A:**      **MULTIPLE CHOICE**      (20 marks)

**This section is compulsory and all questions must be answered. Each question is one mark each.**

**Question 1**

Who has the power to remove the President or Vice-President from Office?

- A. the Chief Justice
- B. the Bose Levu Vakaturaga
- C. the Speaker of the House of Representatives
- D. the Government Whip

**Question 2**

How many members are there in the House of Representatives?

- A. 46
- B. 67
- C. 71
- D. 73

**Question 3**

Which is the final appeal court of Fiji?

- A. The High Court
- B. The Supreme Court
- C. The Court of Appeal
- D. The Privy Council

**Question 4**

Who appoints the Commissioner of Police and the Director of Public Prosecutions?

- A. the Judicial Service Commission
- B. the Attorney General
- C. the Public Service Commission
- D. the Constitutional Offices Commission

**Question 5**

Which of these is the Commander of the Republic of Fiji Military Forces not responsible for?

- A. taking disciplinary action against members of the Force
- B. making appointments of members of the Force
- C. removing members from the Force
- D. none of the above

**Question 6**

Who makes the rules of court for regulating and prescribing the practice and procedure to be followed in the Supreme Court?

- A. the Chief Justice
- B. the President of the Court of Appeal
- C. Parliament
- D. the Attorney General

**Question 7**

What is the maximum period that the President or Vice-President can hold office?

- A. 5 years
- B. 7 years
- C. 10 years
- D. 15 years

**Question 8**

Which of these courts do not have inherent jurisdiction?

- A. Court of Appeal
- B. Magistrates' Court
- C. High Court
- D. Privy Council

**Question 9**

What is the retirement age for puisne judges of the High Court?

- A. 55
- B. 60
- C. 65
- D. 70

**Question 10**

The Senate may not amend Bills that:

- A. impose taxation
- B. relate to the Bose Levu Vakaturaga
- C. deal with affirmative action
- D. govern foreign relations

**Question 11**

The Director of Public Prosecutions has powers to:

- A. represent accused persons
- B. conduct civil proceedings
- C. conduct criminal proceedings
- D. all of the above

**Question 12**

Citizenship may be acquired by:

- A. naturalization
- B. registration
- C. birth
- D. all of the above

**Question 13**

Which of these positions requires a person who is qualified to be appointed as a judge?

- A. Director Legal Aid
- B. Director Human Rights Commission
- C. Magistrate
- D. Solicitor General

**Question 14**

The Commissioner of Police requires the concurrence of which Commission to remove a person from the Fiji Police Force?

- A. The Public Service Commission
- B. The Disciplined Services Commission
- C. The Constitutional Offices Commission
- D. Judicial Service Commission

**Question 15**

Who is the Commander-in-Chief of the Military Forces?

- A. Ratu Josefa Iloilo
- B. Commander Voreqe Bainimarama
- C. Laisenia Qarase
- D. None of the above

**Question 16**

Which judge is not a part of the Court of Appeal?

- A. Justice of Appeal
- B. Puisne judges of the High Court
- C. Chief Justice
- D. President of the Court of Appeal

**Question 17**

Which of the following is not an independent service commission?

- A. Constitutional Offices Commission
- B. Public Service Commission
- C. Judicial Service Commission
- D. Disciplined Services Commission

**Question 18**

Who appoints the date Parliament will commence after the end of a session?

- A. the Prime Minister
- B. The Leader of Opposition
- C. The Secretary General to Parliament
- D. The President

**Question 19**

Which of these is not to be considered when interpreting a provision of the Constitution?

- A. the spirit of the Constitution as a whole
- B. the purpose underlying the provision
- C. human rights
- D. religion

**Question 20**

Who may grant a pardon?

- A. The Chief Justice
- B. The President of Fiji
- C. The Attorney-General
- D. Commissioner of Prisons

**SECTION B: SHORT ANSWER QUESTIONS** (80 marks)

**Answer any eight questions out of the ten questions from section B. Each question is worth 10 marks each.**

**Question 21**

- (i) Give four ways a place of a member of the House of Representatives becomes vacant. (4 marks)
- (ii) What is the quorum for the House of Representatives? (1 mark)
- (iii) What is the quorum for the Senate? (1 mark)
- (iv) What happens in the event that a quorum of either House of Parliament is not present? (4 marks)

**Question 22**

- (i) What are the two major functions of the Human Rights Commission? (2 marks)
- (ii) Who are the members of the Human Rights Commission? (3 marks)
- (iii) How are these members chosen? (5 marks)

**Question 23**

- (i) List three ways the Government can be defeated on the floor of the House of Representatives. (6 marks)
- (ii) Under what circumstances may the President dismiss a Prime Minister? (2 marks)
- (iii) What happens in the event the President dismisses a Prime Minister? (2 marks)

**Question 24**

- (i) How many members are there in the Judicial Service Commission and who are they? (4 marks)
- (ii) What are the functions of the Judicial Service Commission? (4 marks)
- (iii) What must the Judicial Service Commission do before recommending a non-citizen for appointment to a judicial office (other than an office of judge)? (2 marks)

**Question 25**

- (i) What are two principles that govern the criteria for appointment to judicial office? (4 marks)
- (ii) What are the only two reasons a judge may be removed from office? (4 marks)
- (iii) Who makes the final decision on whether a judge should be removed from office or not? (2 marks)

**Question 26**

- (i) List two rights that every person charged with an offence or every party to a civil dispute has under the Bill of Rights in the Constitution. (4 marks)
- (ii) What is the approach of a court when trying a member of a disciplined Force for a criminal offence where he has been tried, convicted and sentenced under disciplinary law? (4 marks)
- (iii) If the Bill of Rights under the Constitution has been contravened then which court should the aggrieved person apply to for redress? (2 marks)

**Question 27**

- (i) What are two factors that would disqualify a person from appointment as a member of an independent service commission? (5 marks)
- (ii) Who appoints the chairperson and members of the independent service commissions? (2 marks)

- (iii) Which is the most recently established independent service commission? (3 marks)

**Question 28**

- (i) What are two major functions of the Ombudsman? (4 marks)
- (ii) Who cannot make complaints to the Ombudsman? (2 marks)
- (iii) List two matters that the Ombudsman is not authorized to investigate. (4 marks)

**Question 29**

- (i) What are the three functions of the Public Service Commission under the Constitution? (3 marks)
- (ii) List three offices that the functions of the Public Service Commission do not extend to. (3 marks)
- (iii) List two powers that the Public Service Commission cannot delegate to a member or officer of the Commission or to the holder of a public office. (4 marks)

**Question 30**

- (i) What consideration does the President take into account when making a decision on appointing the Prime Minister? (3 marks)
  - (ii) What are the two oaths a Minister must make before the President prior to taking office? (2 marks)
  - (iii) What happens in the event that the person holding the office of Attorney General is, for any reason, unable to perform the functions of that office? (5 marks)
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