



FIJI PUBLIC SERVICE

EXAMINATION "E": PAPER A

28th AUGUST 2008

THE MACHINERY OF GOVERNMENT

**Time: 2.5 Hours {9am-11.40am}
(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. Access to reference material during the exam is forbidden.
4. Read each question & instruction very carefully. Note the allocation of marks to each question and distribute your time accordingly.
5. **Ten (10) minutes** is allocated to read the questions. **Do not** start writing until you are told to do so.
6. Use of Mobile phone in the class/ hall is not permitted. It should be switched off before the commencement of the exam.
7. 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.

SECTION A: MULTIPLE CHOICE

(20 marks)

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

Question 1

Which of these statements about the President is false?

- A. The President is the head of the legislature.**
- B. The President is the Head of State.**
- C. The President symbolizes the unity of the State.**
- D. The President is vested with the executive authority of the State.**

Question 2

How long can a Vice-President remain in office for?

- A. 10 years**
- B. 12 years**
- C. 15 years**
- D. 20 years**

Question 3

Where do all Bills originate?

- A. The President**
- B. The House of Representatives**
- C. The Senate**
- D. The Parliament**

Question 4

When does the term of Senate expire?

- A. When Parliament prescribes**
- B. When the House of Representative expires**
- C. When election notices are issued**
- D. When the President issues a proclamation**

Question 5

Which of these statements is false?

- A. The Attorney-General is the chief legal advisor to the Government
- B. The Attorney-General should be qualified to act as a barrister and solicitor in the Fiji Islands.
- C. The Attorney-General may vote in Senate even though he is a member of the House of Representatives.
- D. The Attorney-General may attend and take part in the proceedings of either House of Parliament.

Question 6

How many members does the Commission on the Prerogative of Mercy have?

- A. 3
- B. 4
- C. 5
- D. 6

Question 7

Which court has original jurisdiction in any matter arising under the Constitution and its interpretation?

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

Question 8

To which court may the President refer a question as to the effect of a provision of the Constitution?

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

Question 9

In which of these situations does the place of a member of the House of Representatives become vacant?

- A. Where the member resigns
- B. Where the member becomes the holder of a public office
- C. Where the member is an undischarged bankrupt
- D. Where the member is absent from a meeting of the House of Representatives without having obtained permission.

Question 10

How many members does the Electoral Commission have?

- A. 4
- B. 5
- C. 6
- D. 8

Question 11

Which of these does not fall under the powers of the Parliamentary Emoluments Commission?

- A. The Assistant Ministers
- B. The Deputy Speaker of the House of Representatives
- C. The members of the Opposition Party
- D. The members of the Senate

Question 12

What age does the term of appointment of a puisne judge of the High Court expire?

- A. 60
- B. 65
- C. 70
- D. 75

Question 13

Before the Public Service Commission appoints a person to be secretary of a department, agreement has to be sought from:

- A. The President
- B. The Vice-President
- C. The Prime Minister
- D. The Secretary to the Cabinet

Question 14

How long must a person be lawfully present in the Fiji Islands for before he may become a citizen by naturalization?

- A. A total of 3 out of 10 years immediately before the application for naturalization is made.
- B. A total of 5 out of 10 years immediately before the application for naturalization is made.
- C. A total of 7 years out of 10 years immediately before the application for naturalization is made.
- D. A total of 10 years immediately before the application for naturalization is made.

Question 15

Which of these is not a right that a person charged with an offence has?

- A. To be presumed innocent
- B. To be given details of the charge
- C. To be given right of access to witness statements
- D. To be tried again for an offence for which he has previously been acquitted.

Question 16

The Chairperson of the Human Rights Commission is:

- A. The Ombudsman
- B. The President of the Law Society
- C. A puisne judge
- D. The President of the Court of Appeal

Question 17

If Parliament is not in session, how many members must request the President for Parliament to be summoned to meet to consider without delay a matter of public importance?

- A. 12**
- B. 15**
- C. 16**
- D. 18**

Question 18

Which of these is qualified to be a member of the Electoral Commission?

- A. A member of a local authority**
- B. A local government officer**
- C. A judge**
- D. A Senator**

Question 19

Who is responsible for taking disciplinary action against members of the Fiji Military Forces?

- A. the Prime Minister**
- B. the Commander of the Military Forces**
- C. the Disciplined Services Commission**
- D. the Public Service Commission**

Question 20

Which of these is not a "disciplined force"?

- A. The Fiji Prisons Service**
- B. The National Fire Service**
- C. The Fiji Police Force**
- D. The Fiji Prosecution Service**

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) What happens when a law is inconsistent with the Constitution? (3 marks)
- (ii) What is the approach taken in interpreting the Constitution? (4 marks)
- (iii) Which language(s) do people have a right to transact business with local authorities in? (3 marks)

Question 22

- (i) How many members do the House of Representatives have? (1 mark)
- (ii) What are the separate electoral rolls? (4 marks)
- (iii) What is the number of members under each electoral roll? (5 marks)

Question 23

- (i) What is the role of a Permanent Secretary? (6 marks)
- (ii) How is the Commissioner of Police appointed? (2 marks)
- (iii) How is the Solicitor-General appointed? (2 marks)

Question 24

- (i) Which courts have powers to punish for contempt of court? (3 marks)
- (ii) Who does the Court of Appeal consist of? (4 marks)
- (iii) Who does the Supreme Court consist of? (3 marks)

Question 25

- (i) Which two appointments, other than appointments to judicial office, can be made by the Judicial Service Commission? (4 marks)
- (ii) What does the Constitution say about the remuneration of judges? (3 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)? (3 marks)

Question 26

- (i) Which segments of the community does the Bill of Rights provisions not bind? (4 marks)
- (ii) What are two exceptions to the right to personal liberty? (4 marks)
- (iii) What is a right that arrested or detained persons have? (2 marks)

Question 27

- (i) What are five appointments that the Constitutional Offices Commission is entitled to make? (5 marks)
- (ii) How long after ceasing to be a member of an independent service commission can a person be appointed to a state service? (2 marks)
- (iii) What is the maximum number of members the Public Service Commission can consist of? (3 marks)

Question 28

- (i) Which public office functions or duties of another public office can the Ombudsman perform? (4 marks)
- (ii) Can the proceedings of the Ombudsman be reviewed by the courts? (2 marks)
- (iii) Under which circumstances will the Ombudsman investigate a complaint? (4 marks)

Question 29

- (i) What two powers exercised by the Commissioner of Police requires the concurrence of the Disciplined Services Commission? (4 marks)
- (i) What does the term "independent service commission" refer to? (3 marks)
- (ii) What are two areas the functions of the Disciplined Services Commission do not extend to? (3 marks)

Question 30

- (i) What is the role of the Constituency Boundaries Commission? (3 marks)
- (ii) What is Fiji's preferential system of voting known as? (2 marks)
- (iii) Which three criteria must be met before a person has a right to be registered as a voter? (5 marks)

THE END