

Public Corporations

**Elective
Past
Papers**

LL.B. II





GH AQDA STUDENTI TAL-LIĠI

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2020/2021

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ABOUT GhSL

Għaqda Studenti Tal-Ligi (The Malta Law Students' Society) is a faculty-based, non-profit organisation at the University of Malta that represents all law students within the Faculty of Laws.

The organisation plays a pivotal role in law students' academic and social life at the University of Malta. The organisation has also been responsible for publishing the prestigious *Id-Dritt*, and the *GhSL Online Law Journal*.

Moreover, GhSL boasts its own Thesis Library, located at the GhSL office in the Faculty of Laws. Additionally, GhSL is the only law organisation responsible for the distribution of authoritative law notes and past papers.

For further queries on this set of notes, as well as any other, please feel free to contact our **Resources Officer** at resources@ghsl.org.



Advice from an Alumna

By Dr Priscilla Mifsud Parker

The law course is a long journey, but one that, if well-travelled, will lead to beautiful destinations. In an industry which is today attracting many young individuals looking to develop their career in law, it is important to stay ON the beaten track and remain focused. It may go without saying that it is of great importance for all students to attain good academic grades, to be dedicated to their work, as well as to be determined in this highly-competitive industry in order to fulfil their dream of becoming lawyers one day. However what is crucial is that as students and later on as professionals we are innovative by being sensitive to the changes around us. These changes might be political, economic, environmental, socio-cultural or others; what is for sure is that they all have an impact on the profession of a lawyer. We are members of a dynamic profession which is very sensitive to its surroundings. The type and 'genre' of advice which is required from us is all affected by what is being experienced by the receivers of this advice.

Work experience is considered as a vital part of the staple diet of any prospective lawyer in order to put into practice and refine the knowledge gained from the theoretical reality of the lecture halls and lawbooks into the skills required for a successful career in law. An internship will not only show future recruiters that you have a genuine interest in pursuing a career in this sector, but that you have the practical knowledge and skills to succeed in your role.

Here are some personal suggestions that I feel helped me during my journey:

1. *Being Ambitious*

A powerful trait in any competitive industry, ambition will help you in your law course, in your career as a lawyer, as well as in your life. Whilst the law course can be quite intimidating and challenging, an ambitious individual who is dedicated to learning new things has the potential to understand and realize long-term goals. Do not view the journey as one whole insurmountable mountain but focus on the next small goal and once achieved move on to the next and goal by goal you will reach your final target point.

In this respect, gaining valuable work experience through an internship is an important step taken by an ambitious young lawyer who wants to attain certain skillsets, and remain a step ahead of his/her peers. By being inquisitive, analytical and humble enough to accept guidance and mentoring one is guaranteed a fruitful experience in a law firm. It is also not only a means to start focusing on the direction of your career and to build upon your chosen path, but will undoubtedly expose you to the international world. This is crucial, as most of the traditional legal sectors have been intertwined with new areas of legislation and all these together now present much more opportunity for intra-jurisdictional work.

2. *Networking*

By engaging with counterparty students abroad and in international fora one gains an insight into another reality and is exposed to different cultures, ways of communicating and is able to bridge



the differences between parties to a mundane discussion which will eventually become a transaction or a major project in professional life.

3. Organisational Skills

Organisation is key in any industry. Good organisation skills always stand out to a recruiter when considering potential applicants. Such skills can be obtained by gaining experience either through organising one's own work, study plan, student events or cultural/philanthropic events.

Going hand-in-hand with this, is having a study plan. By planning your studies ahead, one will have a sufficient amount of time to meet all the demands, while also being able to participate in productive outside activities. Reviewing notes or case briefs before class can also help you follow and participate in class discussions better, whilst following case-law allows you to apply them for specific situations. In view of the amount of material involved summarising and carving out the most crucial points is essential to then build your argument in papers.

4. Taking your own class notes

It is always important to take down your own notes as laws are always evolving and passed-down notes would provide the context but are not ideally used for the detail. Researching the particular topic and comparing Malta's law with that of other jurisdiction gives one a completely different outlook and commenting on these variances in an exam paper, dissertation or assignment would distinguish one student from another. Not to be overlooked are also the consultation papers, commentaries and other official public documents that are issued by local authorities from time to time on different areas of law and industry. Being abreast of what is happening in industry will help putting the particular law or regulation in context.

5. Participation

Participation is a main element of the learning process. Being actively involved during seminars and lectures and participating in legal debate sessions, mock trial competitions and moot courts are essential in order to improve your persuasive and presentation skills. If you find this very difficult (all of us have different characters and traits), then try to focus on participation in other events which will expose you to public speaking starting off in smaller groups in a more familiar environment and trying out new experiences and larger audiences as you go along.

6. Practice is the key to success

This leads us to our next point – practice. Attaining good grades is undoubtedly an important part of the law course, however, in themselves, they are not enough to show that you have substantial material to succeed. Working within a law firm introduces you to the world of work, and allows you to gain specific industry-related skills which one will only ever be able to learn in a workplace setting.

Work experience can provide you with valuable insight which will help you decide what your career aspirations are and in which areas you would like to further delve into.

UNIVERSITY OF MALTA
FACULTY OF LAWS
LL. B. HONS II Year
JANUARY 2016 EXAMINATIONS

Examination: PBL2014 Public Corporations

Date: Thursday 28th January 2016

Reading Time: 10.00am-10.05am

Duration of Examination 10.05am to 11.05am

Answer ONE question from the following. Every question carries equal marks.

1. To what extent are public corporations subjected to judicial, ministerial and parliamentary control? Discuss.

2. Explain the juridical nature of public corporations and the ways in which they may be established under Maltese law.

3. Explain the legal nature of administrative penalties which some public corporations may by law impose in their role as regulatory bodies. Give examples of such penalties and the juridical problems which have arisen in their application.

UNIVERSITY OF MALTA
FACULTY OF LAWS
LL.B. HONS. 2ND YEAR
JANUARY 2017

PBL2014 Public Corporations

Date: Tuesday 31st January 2017

Reading and Noting Time: 10.00am to 10.05am

Duration of Examination: 10.05am to 11.05am

Writing is permitted during reading and noting time.
All questions carry equal marks

Choose any **ONE** of the following questions:

1. Describe the legal nature of the public corporation and the way such corporation is created under Maltese law.
2. What kind of controls exist at law over public corporations to prevent abuse of any kind?
3. Describe the powers of public corporations to impose administrative penalties and recent developments in Maltese jurisprudence on the matter.

University of Malta
Faculty of Laws
2017-2018
Semester 1 Exam Session

PBL 2014 Public Corporations

Monday 29th January, 2018

Duration of Examination – 10.00am- 11.05am

Answer any ONE of the following questions 100 %

1. Examine the ways in which a public corporation can be created under Maltese law, and explain the advantages and disadvantages of establishing such corporations.
2. Describe the different kinds of control over public corporations under Maltese law.
3. Explain the legal provisions usually found in Maltese legal instruments establishing public corporations regarding financial matters, estimates and control of expenditure.

University of Malta
Faculty of Laws
January/February 2019 Examination Session

PBL2014 PUBLIC CORPORATIONS

Date: Friday 1st February 2019

Duration of Examination: 10:00AM - 11:05AM

INSTRUCTIONS TO STUDENTS:

Answer **ONE (1)** question from the following. All questions carry equal marks.

1. Explain and describe the different kinds of controls over public corporations in Malta.

2. a. Explain the main characteristics of a public corporation in Malta (75 marks).
b. Describe the way in which such corporations may be set up in Malta (25 marks).

3. Explain the common provisions relating to financial matters and control regarding public corporations.