



SCHOOL OF LAW

TAKE HOME EXAMINATION

COURSE NAME:	Natural Resources Law
COURSE NO:	LA320
EXAM AVAILABLE:	10:00 am Monday 24 May 2004
DUE DATE:	10:00 am Wednesday 26 May 2004
TIME ALLOWED:	Student choice for time allocation
TIME WRITING GUIDELINES (approx):	Section A – 1 hour and Section B – 2 hours
NUMBER OF QUESTIONS ON PAPER:	Section A – 1 Essay Question Section B – 8 Short Answer Questions
MARK ALLOCATED FOR EACH QUESTION:	Section A – 20 marks Section B – 40 marks (8 x 5 marks each)
TOTAL MARKS:	60 marks 60% of total course mark

SPECIAL INSTRUCTIONS:

- Please note that your answer paper will not be returned to you. Final grades may also be scaled.
- This Take Home Exam is available for collection at the USP Law School Office at the above time and date.
- All Take Home Exams must be returned no later than 10:00 am Wednesday 26 May 2004. Please provide your answers to this exam in hard copy to the USP Law School Office.
- The USP penalty and late policy DOES NOT apply to this Take Home Exam and all papers must be handed in before the due time and date. Any papers received after that deadline will not be accepted.
- Please make sure to put your name and student ID number on your answer paper; number your answer pages and be sure to firmly affix all pages together.

- For Section A (Essay Question) please indicate which question (A – D) you have chosen. For Section B (Short Answer Questions) make sure that you precisely identify the question number that you are answering.
- You may either produce typed (12 point only acceptable) or tidy handwritten answers for this exam.
- The Take Home Examination is worth 60% of the final course mark and will be marked out of 60. It is comprised of the following:

SECTION A - One Essay Question. You will have a choice out of four topics. Your answer should not exceed 1200 words (20 marks);

SECTION B - Eight Short Answer Questions. You must answer all eight questions. Each answer should not exceed 300 words (5 marks each question with total for this section 40 marks); and

SECTION C – Course Feedback Form. Please detach this form from this exam paper and attach it to the end of your answer paper.

- Papers that exceed the stipulated word length will be penalized.
- LA320 is a broad interdisciplinary course. In most cases there will not be one clear “correct” answer. Answers will be evaluated according to your understanding and use of the Course Materials and how well you apply them in the analysis of the question.
- Where laws are applicable, or can be used as an example to illustrate your argument, it is suggested that this will improve your answer.
- You may undertake research outside the Course Materials but this is not an essential requirement.
- Where applicable, you should follow the USP citation guide for referencing within your answers. A bibliography is not required.
- If you have any inquires during the examination period, please contact the local based tutor, Donna Llewellyn. Her details are as follows:
Email – dmllewell@hotmail.com
Home telephone – 36619
Work telephone – 37733
Facsimile - 36153

YOUR EXAM PAPER MUST BE YOUR OWN ORIGINAL WORK. GROUP WORK AND CONSULTATION ABOUT THE QUESTIONS AND YOUR ANSWERS ARE NOT ALLOWED DURING THE EXAM PERIOD.

SECTION A

SELECT AND COMPLETE ONE QUESTION ONLY (1200 words) 20 marks:

- A. SPREP exists as a regional organization comprised of South Pacific Island countries with mandates to assist in the development of these nations in an environmentally sustainable manner. To what extent has SPREP been successful in achieving this goal in relation to the sustainable use of natural resources in the South Pacific Region?

OR

- B. Provide some examples of customary law relating to the use of marine resources in the South Pacific Region. To what extent is traditional ownership and use of marine resources reflected in national fisheries law and policy? (You may focus on one example from one country in the region).

OR

- C. Sustainable agriculture is a key source of subsistence and income throughout the South Pacific Region. Provide some suggestions relating to international law and policy and how they might be implemented in one Pacific Island nation to improve the ecosystems on which agriculture depends and a more appropriate form (and intensity) of agricultural use.

OR

- D. Critically evaluate the concept of eco-tourism and suggest ways in which eco-tourism may be developed in a participatory and culturally appropriate way in the South Pacific Region.

SECTION B

YOU MUST ANSWER ALL OF THE FOLLOWING EIGHT QUESTIONS (300 words each answer) 5 marks for each question:

1. Critically evaluate the implementation of international law for sustainable development in the South Pacific Region. Use at least one example of national laws relating to the sustainable use of natural resources in the region to illustrate how effective, or ineffective, international law appears to be.
2. Discuss the strengths and weaknesses of customary law, relating to ownership of land, in developing future national strategies for natural resource use in the South Pacific Region.
3. What legal and economic strategies could be developed by governments to ensure food security, livelihoods and equitable benefit sharing from fisheries in the South Pacific Region?
4. Discuss International and regional laws and policies being developed to control land-based marine pollution and the activities that cause it.
5. What is Integrated Coastal Zone Management? Also, include some suggestions about how it could be implemented in the South Pacific Region (You may focus on one country in the region).
6. Critically evaluate the requirements and adequacy of International laws, declarations, policies and principles that apply to forestry having regard to the forest resources in the South Pacific Region.
7. The Fiji Locally Managed Marine Areas provides an example of new community-based approaches to sustainable natural management. To what extent can, or should, community based management (or co-management) be supported by laws or become part of national policy development? Also, discuss the potential issues related to the community use of natural resources and conservation objectives such as biodiversity conservation.
8. Discuss how tourism development can be directed and managed through strategic and participatory land-use planning.

SECTION C
COURSE FEEDBACK FORM

PLEASE DETACH THIS PAGE FROM THIS EXAM PAPER AND ATTACH TO
YOUR ANSWER PAPER.

We appreciate that you will be very busy over the remainder of the USP examination period. It is important for USP, the two course lecturers and local based tutor to receive your feedback about this new course. Please take five minutes to complete this form and return with your exam answers.

Use the scale below to answer the following questions and include any further written comments you may have.

Excellent	Very Good	Average	Not Good	Poor
1	2	3	4	5

Write your scale
below here

1. How useful were the "intensive teaching days" to your learning?
2. How relevant and useful were the Course Materials to your learning?
3. Did you make use of the local based tutor? YES or NO (delete one)
4. If yes, how would you rate the service provided by the local tutor?
5. Was the topic for assignment one helpful in advancing your understanding of "sustainable development" and natural resource issues?
6. How would you rate the topic and approach for assignment two?
7. Was the pre-take home exam tutorial helpful?
8. How do you rate the take home exam?
9. Has the LA320 course delivered what you were expecting?
10. Overall, how would you rate this course in terms of interest and potential application in your future legal career?

Any further comments and/or suggestions that you have... THANK YOU.