

FE-1 - Law Society of Ireland Entrance Exam Practice Test Questions and Answers

1. What is the Francovich principle in EU law?

- A) Member states can be held liable in damages for failure to properly implement EU law
- B) EU citizens have automatic standing to sue EU institutions
- C) National courts must always apply EU law over national law
- D) Member states can opt out of EU Directives they disagree with

2. What is the principle of subsidiarity in EU law?

- A) In areas of non-exclusive competence, the EU shall act only if the objectives cannot be sufficiently achieved by member states
- B) The EU always has priority over member states in all policy areas
- C) Member states must always defer to EU law in all matters
- D) EU law applies only when national law is absent

3. What is a constructive trust in Irish equity law?

- A) A trust imposed by equity independently of the parties' intention to prevent unjust enrichment — it arises by operation of law where a person holds property in circumstances that make it unconscionable to deny the beneficial interest of another
- B) A trust created by the express words of the settlor
- C) A trust created to hold property for charitable purposes
- D) A trust imposed by statute under the Succession Act 1965

4. What is a profit à prendre in Irish property law?

- A) A right to take something from another person's land — such as the right to fish, shoot, take turf, or graze animals — it is a right in rem and can exist independently of a dominant tenement
- B) A right to use a path across another's land
- C) A right to prevent a neighbour from building
- D) A licence to occupy another's land temporarily

Answers: 1-A 2-A 3-A 4-A

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