

بسم الله الرحمن الرحيم  
اللهم صل على محمد و آل محمد



[www.egza.tk](http://www.egza.tk)

برای دریافت سوالات دروس دیگر  
می توانید به آدرس زیر مراجعه کنید

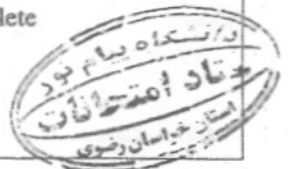
تعداد سؤالات فنی ۳۰ تکمیلی - تشریحی ۲  
 زمان امتحان: تستی و تکمیلی ۲۵ دقیقه تشریحی ۵۰ دقیقه  
 تعداد کل صفحات: ۲

۸۶/۱۱/۷  
 ۸/۵

نام درس: متون حقوقی (۲)  
 رشته تحصیلی: کانون حقوق  
 کد درس: ۲۰۱۲۳

*Directions: Choose the best answer (a, b, c or d) and mark it on your answer sheet.*

- The..... is the physical element of a crime.
  - mens rea
  - actus reus
  - sine qua non
  - actus non facit
- In some circumstances, a but for test is applied in order to determine the.....
  - mens rea
  - actus reus
  - causation
  - sine qua non
- ..... rarely gives rise to criminal liability.
  - Negligence
  - Proof of intention
  - Direct intent
  - oblique intent
- A person is..... where they take an unjustified risk of committing the offence.
  - subjective
  - objective
  - justified
  - reckless
- Where the actus reus of the offence is of a continuing nature ( e.g. rape) .....
  - mens rea is out of question
  - no mens rea is necessary at all for the defendant to be guilty
  - mens rea has to be present from the outset
  - mens rea need not be present from the outset
- The concept of transferred malice applies where a criminal act directed at one person results, in fact, in injury or damage to.....
  - a property
  - another person
  - the same person
  - no one
- The following are all arguments for strict liability except.....
  - it results in unnecessary social stigmatization
  - while fault may not be relevant to liability, it is still taken into account in sentencing
  - it avoids the complications that would otherwise arise in seeking to establish corporate liability
  - imposition of strict liability may encourage positive steps to comply with the law rather than merely negative action to avoid non-compliance
- Offences of strict liability are those for which there is ..... requirement of mens rea regarding one or more elements of the actus reus.
  - some
  - a little
  - no
  - a complete



تعداد سؤالات: فنی ۳۰ تکلیفی — تشریحی ۲  
 زمان امتحان: تستی و تکلیفی ۲۵ دقیقه تشریحی ۵۰ دقیقه  
 تعداد کل صفحات: ۲

نام درس: متون حقوقی (۲)  
 رشته تحصیلی: گرایش حقوق  
 کلاس: ۳۰۱۲۲۳

9. Non-insane automatism is a defence where.....
- the automotive state is self-induced
  - an internal cause was held to trigger the crime
  - the defendant was held acting as an automaton committing the actus reus
  - the defendant's committing the crime was because of an illness
10. Insanity is a defence in the following except.....
- defect of reason
  - disease of the mind
  - lack of the knowledge of the nature and quality of the act
  - having the knowledge of the act being wrong
11. With non-insane automatism the cause of the automotive state must be .....
- internal
  - external
  - implicit
  - uncommon
12. Involuntary intoxication is a defence where a person is .....to consume an intoxicating substance.
- wrong
  - forced
  - stolen
  - knowledgeable
13. Voluntary intoxication is not a defence where there is.....
- a crime of specific intent
  - a Bona fide medical treatment
  - a crime of basic intent
  - a crime of ulterior intent
14. Incapacity is a defence where the defendant's age is less than.....
- 11
  - 10
  - 12
  - 13
15. ....refers to situations where the defendant has been forced to act in response to the circumstances he finds himself in.
- Duch courage
  - Duress of circumstances
  - Self-defence
  - Consent of the victim
16. For murder, death had to occur.....after injury, historically.
- within a month
  - within a year
  - within two years
  - within three years



تعداد سوالات: ۳۰ تکمیلی — تشریحی ۲  
 زمان امتحان: تشریحی و تکمیلی ۲۵ دقیقه تشریحی ۵۰ دقیقه  
 تعداد کل صفحات: ۲

نام درس: متون حقوقی (۲)  
 رشته تحصیلی: گرایش حقوق  
 کد درس: ۳۰۱۲۳

17. The following items exemplify voluntary manslaughter except.....
- a. diminished responsibility                      b. provocation  
 c. constructive manslaughter                      d. killing in pursuance of a suicide pact
18. Involuntary intoxication may result from the complete.....of intoxicating properties of a substance.
- a. attempt                      b. prescription                      c. mistake                      d. ignorance
19. The maximum penalty for "killing by gross carelessness would be .....years imprisonment.
- a. 5                      b. 8                      c. 9                      d. 10
20. Common assault is punishable by up to.....imprisonment.
- a. life                      b. seven-year                      c. one-year                      d. six-month
21. The term battery is defined as the application of .....violence on another
- a. lawful personal                      b. unlawful government  
 c. unlawful personal                      d. lawful government
22. Complexities and.....create additional burdens for the police and courts.
- a. clarity                      b. confusions                      c. consistency                      d. transmissions
23. ....is the dishonest appropriation of property belonging to another with an intention to permanently deprive the other of it.
- a. Theft                      b. Robbery                      c. Burglary                      d. Criminal damage
24. The mens rea, "intention or subjective recklessness with regard to the trespass", is related to.....
- a. burglary                      b. theft                      c. robbery                      d. incapacity
25. ....means leaving the place at which payment is expected or required on the spot.
- a. Criminal damage                      b. Making off without payment  
 c. Arson                      d. Evading liability by deception
26. A deception is.....where the deceiver knows his representation is false.
- a. unintentional                      b. inclusive                      c. permanent                      d. deliberate



تعداد سئوال: فنی ۳۰ تکمیلی — تشریحی ۲  
 زمان امتحان: تشریحی و تکمیلی ۲۵ دقیقه تشریحی ۵۰ دقیقه  
 تعداد کل صفحات: ۲

نام درس: متون حقوقی (۲)  
 رشتا تحصیلی: گرایش حقوق  
 کد درس: ۳۰۱۳۲۳

27. ....means instigating the commission of a crime through advice, encouragement, persuasion or compulsion.  
 a. Conspiracy      b. Incitement      c. Participation      d. Attempt
28. Those who commit the actus reus of an offence are known as the.....offenders.  
 a. principal      b. minor      c. material      d. appropriate
29. ....means the severity of punishment should be proportionate to the gravity of the offence.  
 a. Publicity      b. Promptness      c. Certainty      d. Proportionality
30. Where a(n) .....is not justified, the court may consider a community sentence.  
 a. custodial sentence      b. miscellaneous sanction  
 c. minimum and mandatory sentence      d. imposing of a fine

عبارات ذیل را به فارسی روان ترجمه فرمائید (لطفاً از نوشتن عبارات زاید پرهیز گردد).

1. The idea of fault is present in the principal maxim of the criminal law.
2. This is traditionally referred to as malice afore thought. It is a vital concept as it is the presence of malice afore thought which distinguishes murder from manslaughter. There are two forms of malice afore thought.  
 a. intention to kill (express malice).  
 b. intention to cause grievous bodily harm.(implied malice)
3. Placing another in fear of immediate and unlawful personal violence. This may be done by acts alone (e. g. raising one's fists at some one ) or by acts and words together.
4. The preliminary offences (some times called in choate offences) concern criminal liability for the preparation or instigation of criminal acts. It is obviously necessary and desirable that the law enables the police to intervene to prevent planned criminal activity and the courts to punish those involved without having to wait for the full offence to be committed.

