

**UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW**

SUPPLEMENTARY EXAMINATION PAPER, JULY 2006

TITLE OF PAPER : ADMINISTRATIVE LAW

COURSE CODE : L205

TIME ALLOWED : THREE (3) HOURS

- INSTRUCTIONS:**
- (1) ALL FOUR (4) QUESTIONS RE
COMPULSORY**

 - (2) MARKS FOR QUESTIONS OR PARTS OF A
QUESTION ARE SHOWN IN BRACKETS.**

**THIS PAPER MAY NOT BE OPENED UNTIL PERMISSION HAS BEEN
GRANTED BY THE INVIGILATOR.**

QUESTION 1

Discuss in detail the judicial and legislative obstacles to judicial review. Your answer must be supported with relevant authorities.

(25 marks)

QUESTION 2

What constitutes fairness under the *audi alteram partem* rule?

(25 marks)

QUESTION 3

What are the advantages of using administrative tribunals as against the courts of law?

(25 marks)

QUESTION 4

Write short notes on the following:

- (a) Constitutional review vis-a-vis- judicial review in the administration law-sense. [7.5]
- (b) Differentiate between powers and duties. [7.5]
- (c) It is controversially argued that judicial review gives judges an opportunity to usurp the functions entrusted by the legislature to the administration. Is this statement correct? [10]

(25 marks)