

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

FINAL EXAMINATION PAPER, MAY 007

TITLE OF PAPER : ADMINISTRATIVE LAW

COURSE CODE : L205

TIME ALLOWED : THREE (3) HOURS

**INSTRUCTIONS: (1) ANSWER QUESTION 1 WHICH IS COMPULSORY
AND ANY OTHER THREE (3) QUESTIONS OF
YOUR CHOICE.**

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

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

QUESTION 1

Administrative Law is almost synonymous with the remedy of judicial review.

a) What is the purpose and meaning of this remedy?

{5 marks}

b) Discuss the two primary remedies associated with this remedy?

{5 marks}

c) What are the three (3) exceptions to one of the primary remedies as was enumerated in the case of *Johannesburg City Council vs Administrator, Transvaal 1969 (2) SA 72*?

{15 marks}

[25 marks]

QUESTION 2

Ms Duma is your client. She comes to you and informs you that in two (2) days time she is expected to appear before a disciplinary tribunal at her place of employment. She is not quite sure whether she is conversant with the requirements of a fair hearing so as to protect her rights during the hearing.

Advise Ms Duma about the ingredients of fairness under the *audi alteram partem* rule.

[25 marks]

QUESTION 3

a) What are the advantages of using administration tribunals as against the courts of law?

{10 marks}

b) Discuss the different types of interdicts obtaining in administration law.

{15 marks}

[25 marks]

QUESTION 4

What is meant by the doctrine of legitimate expectation? Under what circumstances does it arise?

[25 marks]

QUESTION 5

a) What constitutes the primary and secondary meaning of the Rule of Law?

{10 marks}

b) What are the components of a failure to apply one's mind to a matter?

{15 marks}

Total:[25 marks]