

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**SUPPLEMENTARY EXAMINATION PAPER, JULY 2008**

**TITLE OF PAPER** : **ADMINISTRATIVE LAW**

**COURSE CODE** : **DL 033**

**TIME ALLOWED** : **THREE (3) HOURS**

**TOTAL MARKS** : **100**

**INSTRUCTIONS** : **1. ANSWER ANY FOUR (4) QUESTIONS.**  
**2. ALL QUESTIONS CARRY EQUAL MARKS.**

**THIS PAPER SHOULD NOT BE OPENED UNTIL PERMISSION HAS BEEN GIVEN BY THE INVIGILATOR.**

### QUESTION 1

The doctrine of *ultra vires* is the cornerstone of our Roman Dutch common law. Do you agree? Discuss.

[25]

### QUESTION 2

Discuss the doctrine of *stare decisis* with reference to decided cases.

[25]

### QUESTION 3

Discuss each of the following:

- |       |                                      |     |
|-------|--------------------------------------|-----|
| (i)   | The rule of law                      | [5] |
| (ii)  | Review and appeal                    | [5] |
| (iii) | <i>Mandamentem van spolie</i>        | [5] |
| (iv)  | <i>Delegatus non potest delegare</i> | [5] |
| (v)   | Laying before Parliament             | [5] |

### QUESTION 4

The tinkhundla system of Government in Swaziland has catapulted the country into a fully fledged democracy. Do you agree? Discuss.

[25]

### QUESTION 5

Discuss the grounds of judicial review.

[25]