

**UNIVERSITY OF SWAZILAND**

**INSTITUTE OF DISTANCE EDUCATION**

**DEPARTMENT OF LAW**

**SUPPLEMENTARY EXAMINATION PAPER, JULY 2009**

**TITLE OF PAPER : CIVIL PROCEDURE**  
**COURSE CODE : DL 032**  
**MARKS : 100**  
**TIME ALLOWED : THREE (3) HOURS**  
**INSTRUCTIONS : ANSWER ANY FOUR (4) QUESTIONS**  
**(a) Additional marks will be given for**  
**Use of case-law where appropriate.**

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

**QUESTION 1**

Write short notes on the jurisdiction of:

- (a) The Magistrate's Court (10 marks)
- (b) The High Court (5 marks)
- (c) The Court of Appeal (5 marks)
- (d) The Swazi Court (5 marks)

**[TOTAL: 25 MARKS]**

**QUESTION 2**

No person can appear in a court of law without the necessary legal standing. Discuss.

**[25 MARKS]**

**QUESTION 3**

Certain rules must be complied with in respect of pleadings. What are those rules? **[25 MARKS]**

**QUESTION 4**

What is the distinction between action proceedings and application proceedings? **[25 MARKS]**

**QUESTION 5**

What options are available to a defendant in action proceedings who has been served with summons?

**[25 MARKS]**

**QUESTION 6**

- (a) What are the requirements for the granting of an edictal citation application? **[15 marks]**
- (b) When is substituted service used? **[10 marks]**