

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION PAPER, JULY 2010

TITLE PAPER : ADMINISTRATIVE LAW
COURSE PAPER : 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

- (a) What do you understand by Parliamentary sovereignty? [5 marks]
- (b) Without the efficient administration and proper functioning of government, the state will grind to a halt. Do you agree? Discuss. [20 marks]

QUESTION 2

May the legislature, executive and the judicial arms of government encroach on each others' domains under the Swaziland Constitution Act No.1 of 2005? Discuss.

[25 marks]

QUESTION 3

Discuss each of the following topics:

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|-------------------------------|-----------|
| (i) Stare decisis | [5 marks] |
| (ii) The separation of powers | [5 marks] |
| (iii) Publication of Law | [5 marks] |
| (iv) Mandament van spolie | [5 marks] |
| (v) Review and appeal | [5 marks] |

QUESTION 4

Discuss the requirement of Locus Standi as an obstacle to judicial review.

[25 marks]

QUESTION 5

Discuss the justifiability of the Nature and Scope of judicial review.

[25 marks]