

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION

141

JULY 2011

TITLE OF PAPER: ADMINISTRATIVE LAW

COURSE CODE: L205

TIME ALLOWED: THREE (3) HOURS

- INSTRUCTIONS:**
- (a) ANSWER ANY FOUR QUESTIONS, INCLUDING QUESTION 1 WHICH IS COMPULSORY.
 - (b) EACH QUESTION CARRIES A TOTAL OF 25 MARKS.
 - (c) THE CONTENT OF YOUR ANSWERS, CLARITY OF EXPRESSION AND LEGIBILITY OF YOUR HANDWRITING ARE ALL EXTREMELY ESSENTIAL.

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Question One (Compulsory)

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There are various remedies available to an individual aggrieved by one form of administrative act or another. Articulate these in a well presented paper, relying on current case law from our jurisdiction and from the region.

(25 Marks)**Question Two**

Ouster clauses work to deprive the courts of jurisdiction to hear and review matters brought before them, yet in practice, courts do not simply stick to the letter of the exclusionary clause. Critically discuss this point, relying on local legislation and case law from both our jurisdiction and the region.

(25 Marks)**Question Three**

Legitimate expectation was the central question in the case of *Various Occupants v Thubelisha Homes and Others* CCT 22/08; [2008] ZACC. With reference to this and other cases, critically discuss the doctrine of legitimate expectation.

(25 Marks)**Question Four**

With the adoption of the constitution in 2005, constitutionalism has made inroads into the arena of administrative law. This has led to the broadening of the control measures for administrative action. Do you agree?

(25 Marks)**Question Five**

There are arguments that King's decrees form part of the sources of our administrative law. Do you agree? Critically analyse.

(25 Marks)**Question Six**

Differentiate between appeal and review.

(25 Marks)