

UNIVERSITY OF SWAZILAND

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INSTITUTE OF DISTANCE EDUCATION

DIPLOMA IN LAW

MAIN EXAMINATION - MAY 2014

TITLE OF PAPER : ADMINISTRATIVE LAW II

COURSE CODE : IDE – DL042

TIME ALLOWED : THREE (3) HOURS

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

TOTAL MARKS : 100

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BY THE SUPERVISOR**

QUESTION ONE

(a)What is the main concern, nature and scope of judicial review?

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(15 Marks)

(b)Differentiate between review and appeal under the judicial control of administrative action.

(10 Marks)

(25 Marks)

QUESTION TWO

The second rule of natural justice is nemo debet esse iudex in sua propria causa or the bias rule. Discuss the circumstances giving rise to and appearance of bias and the test for bias.

(25 marks)

QUESTION THREE

Discuss each of the following:

(i) Cross examination;

(5 marks)

(ii)The doctrine of legitimate expectation;

(5 marks)

(iii)Interdict;

(5 marks)

(iv)The interdictum de libero homine exhibendo; and

(5 marks)

(v)Legal representation.

(5 marks)

(25 marks)

QUESTION FOUR

The courts have interpreted the audi alteram partem rule to include a number of requirements. Discuss these requirements.

(25 marks)

QUESTION FIVE

Discuss the requirements of locus standi in judicio as an obstacle of judicial review.

(25 marks)

END OF QUESTION PAPER