

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**MAIN EXAMINATION PAPER, MAY 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) Discuss briefly what you understand by the term “Administrative Law”.

[5 marks]

- (b) The “sources of law” are the sources where the law comes from and where it can be found. Do you agree or disagree with this statement? Discuss with reported cases.

[20 marks]

### QUESTION 2

- (a) Why does parliament delegate its legislative power, if at all it does? Discuss.

[15 marks]

- (b) Discuss the principle of “delegates non potest delegare”.

[10 marks]

### QUESTION 3

Discuss each of the following:

- |                                      |           |
|--------------------------------------|-----------|
| (i) The separation of powers         | [5 marks] |
| (ii) Iudicis est ius dicere non dare | [5 marks] |
| (iii) Ouster clauses                 | [5 marks] |
| (iv) The rule of law                 | [5 marks] |
| (v) Ulterior motive                  | [5 marks] |

### QUESTION 4

The Audi Alteram Partem rules are common-law rules setting out minimum standards of justice and fairness. Discuss referring to Case Law.

[25 marks]

### **QUESTION 5**

Discuss the requirements for the doctrine of “locus standi” i.e. doctrine of standing.

[25 marks]