

UNIVERSITY EXAMINATION

March 2021

FACULTY OF LAW

BACHELOR OF LAWS (LLB) YEAR 1 END OF SEMESTER ONE FINAL
ASSESSMENT ACADEMIC YEAR 2020/2021

INTRODUCING LAW

LLB 1101

DATE: Thursday, 11th March, 2021

TIME: 9:30 AM– 1: 00 PM

DURATION: 3 & HALF HRS

Instructions:

1. Carefully read through ALL the questions before attempting
2. **This examination is composed of two sections: A and B. ANSWER ONLY TWO QUESTIONS FROM EACH SECTION. All questions carry equal marks, (25)**
3. No **names** should be written anywhere on the examination book.
4. Ensure that your **Registration number** is indicated on all pages of the examination answer booklet.
5. Ensure your work is **clear and readable**. Untidy work shall be penalized
6. **Clarity of expression, provision of relevant authorities/examples and logical arguments will earn you extra marks**
7. Any type of examination Malpractice will lead to automatic disqualification
8. Do not write anything on the questions paper.
9. Use the exam answer booklet for all your rough work

SECTION A

QUESTION ONE

The different schools of law have attempted to define law according to its nature, characteristics and functions. Explain the meaning and understanding of law according to the following schools of law, citing examples of their manifestations in Uganda, if any:

- a) The Natural school of law
- b) The sociological school
- c) The positivist school
- d) The realist school
- e) The analytical

QUESTION TWO

It is generally acknowledged that Law plays important roles in society. Identify and critically discuss the different roles and functions of law generally and specifically in the Ugandan context. (25marks)

QUESTION THREE

Using relevant authorities please explain in detail the sources of law in Uganda(25Marks)

QUESTION FOUR

Explain why Equity developed and how it differs from the Common Law. What is the present relationship between the two systems?(25Marks)

SECTION B

QUESTION FIVE

The people of Kinyara would like to come up with a by-law outlawing the consumption of alcohol in sachets because of their perceived belief that it is rendering the population redundant, it is the cause of the increased instances of domestic violence in the area and worse still, they believe it is the leading cause of the high rate of infertility and the associated stigma among men in the community. They have come to you for advise and would like you to explain to them the following:

- a) The meaning of delegated legislation and provide examples of this form of law in Uganda(8Marks)
- b) Discuss the advantages and disadvantages associated with delegated legislation(10Marks)
- c) To what extent is true to say that delegated legislation is an essential source of law in Uganda?(7Marks)

QUESTION SIX

Discuss the hierarchy, composition and structure of Courts in Uganda starting with the highest Court of the land. (25marks)

QUESTION SEVEN

Explain the difference between the following:

- a) Civil Law and Criminal Law (5marks)
- b) Common Law and Equity (5marks)
- c) Plaintiff and Defendant (5marks)
- d) Criminal Law and Law of Criminal Procedure (5marks)
- e) Burden of proof in Civil Case and Criminal Case (5marks)

QUESTION EIGHT

- a) Explain the different types of Alternative Dispute Resolution (ADR) mechanisms as used in the process of dispute settlement in Uganda. (10 marks)
- b) What are the advantages and disadvantages of ADR as a form of dispute settlement over court process (15marks)