

UGANDA MARTYRS UNIVERSITY
FACULTY OF LAW
4TH YEAR SEMESTER ONE FOR THE ACADEMIC YEAR 2022 -2023
EXAMINATION FOR THE DEGREE OF BACHELOR OF LAWS
LLB 4106: LABOUR LAW 1

Date: FRIDAY 16TH DECEMBER, 2022

TIME: 09.30-01.00PM

INSTRUCTIONS:

- (a) This is an open book examination. Students can come to the examination room with all course lecture materials.
- (b) The examination comprises of four compulsory questions that carry equal marks.
- (c) Students **SHALL USE ONLY ONE ANSWER BOOKLET** for the entire examination.
- (d) All other University Regulations on examinations including those printed on the answer booklet shall apply to the writing of this examination.

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1. The decision in Constitutional Petition No. 08 of 2004; Dr. Sam Lyomoki & 6 Ors v Attorney General represents the 'rebirth' of labor unionism in Uganda.
With the aid of authorities, discuss this authority.
 2. How does the 1995 Uganda Constitution and the Labour Unions Act, 2006, advance the tenets of workers organizational rights as enshrined in ILO Convention 87?
 3. 'The different common law tests adopted to distinguish a contract of service from a contract for services are irrelevant in Uganda given the clear provisions of the Employment Act, 2006'. With the aid of decided authorities, discuss the validity of this statement.

4. Stevenson Jordan and Harrison Limited v Macdonald and Evans (1952) 1 The Times LR p 101 (Court of Appeal).

Discuss the **ratio decidendi** stating brief facts of the case and history if any, the issues for determination by the court, and the relevance if any, of the case you have chosen to Uganda's current employment law.

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