

UGANDA MARTYRS UNIVERSITY NKOZI
SCHOOL OF ARTS AND SOCIAL SCIENCES (SASS)
DEPARTMENT OF GOVERNANCE AND PEACE STUDIES
EXAMINATION FOR BA/DIP 2
MODULE 107: ADMINISTRATIVE LAW AND PRACTICE

2016/17

Date: 27th/06/2017

Time: 9.30a.m-12:30 p.m

INSTRUCTIONS:

- a) Candidates are advised to read all the instructions and questions carefully before attempting any questions.
- b) This is a closed book examination. No materials, notes cases, statutes etc will be allowed in the examination room.
- c) Originality, analytic discussion, and quoting legal authorities shall be rewarded.
- d) Answer **FOUR** questions, question 1 is **COMPULSORY**.
- e) Question 1 carries 40 marks

Question 1:

Various vacancies including the post of the District engineer with stringent job requirements were advertised by District Service Commission. Due to high unemployment rate, the District Service Commission received a number of applications as various people viewed for the position to make their standards of living better. However, it was Sserunkuma Bruno, Kanyankole Robert, and Ayaro Teddy who were shortlisted for interviews.

On the 3rd of April 2016, the District Service Commission Committee declared Ayaro Teddy as the best candidate and her name was duly displayed on the District Notice Board as the successful candidate engineer owing to her exceptional qualifications and experience in the field of engineering.

However to Ayaro Teddy's dismay, she was informed that the chairman of the District Service Commission was opposed to her appointment as she is from Aura District far away from Mpigi District and that their own son Sserunkuma of "Ndiga" (sheep) clan deserved the job and that the position of the engineer cannot be occupied by a woman. The Chairman of the District Service Commission Mr. Lubega Mustafa rubbished the majority decision of the entire committee and resolved that Sserunkuma becomes the engineer of the District and they have vowed that Ayaro will only get that office over their dead bodies.

Ayaro Teddy dissatisfied with the whole state of affairs has been informed that Sserunkuma has already signed the appointment letter and taken office of the district engineer and her hopes to complain to the Public Service Commission were brought down when she and her lawyer appeared to attend the committee to consider her issues but were kept outside throughout the proceedings to their surprise. The decision of the chairman of Mpigi District Service Commission was maintained.

Ayaro Teddy is before you, advise her;

- a) On the constitutional principles available for her to get legal redress if any.*
- b) On the remedies available for her in the circumstances.*

Question 2.

Discuss the silent features and principles of Rule of Law and how the principles are relevant in administration by Government.

Question 3.

- a) Define the term Administrative Law
- b) What are the functions of administrative law
- c) What is subsidiary legislation

Question 4

Write short notes on any **THREE** of the following:-

- a) Right to fair hearing
- b) Equality before the law
- c) The principle of legality
- d) The rule against bias

Question 5

Explain the nature of Delegated Legislation and the reasons for Delegated Legislation

Question 6

- a) What are the sources of Administrative Law (
- b) Explain the objective of Administrative law
- c) Discuss the advantages of Administrative law

Question 7

With relevant examples, discuss the doctrine of "Separation of Powers"