

UGANDA MARTYRS UNIVERSITY

NKOZI

UNIVERSITY EXAMINATION

July 2022

FACULTY OF LAW

BACHELOR OF LAWS (LLB) YEAR 1 END OF SEMESTER ONE FINAL ASSESSMENT
ACADEMIC YEAR 2022-JANUARY INTAKE

INTRODUCING LAW

LLB 1101

DATE: Monday, 18th/July /2022

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 A TOTAL OF FOUR QUESTIONS selecting AT LEAST ONE QUESTION 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

Louise has come to you and is seeking to understand the principles that courts apply in adjudicating both civil and criminal cases. She also is seeking information on the jurisdiction, composition and hierarchy of courts of law in Uganda. Kindly help her better understand what she seeks to know. **(25marks)**

QUESTION TWO

Uganda just like any other civilized country in the world has laws that govern it" per an LLB I student of Uganda Martyrs University in Uganda. With relevant authorities, please discuss the sources of applicable law in Uganda. **(25marks)**

QUESTION THREE

Discuss the idea of law as propounded by any one scholar of legal thought and examine their relevance to Uganda's legal system. **(25marks)**

QUESTION FOUR

Critically analyze the concept of law in terms of its definition, characteristics and functions in the society you are familiar with and assess the effectiveness of the law in the society you have identified. **(25marks)**

SECTION B

QUESTION FIVE

The faculty of law Uganda Martyrs University Nkozi, through its law society students' body has organized a dialogue on the proposed law on regulation of oil prices in Uganda. The area Member of Parliament has been called to grace the occasion and knowing that you are a first-year student of introducing law, your area MP has picked on you to address the gathering on the law-making process specifically on the following:

- a) The law-making process in Uganda
- b) How a private members bill is tabled in Parliament
- c) In case the President refuses to assent to the bill saying that Uganda is a Capitalist State and the forces of demand and supply should be left to determine the cost of oil, what could be done to ensure that the bill becomes law?

QUESTION SIX

Explain the following based on classification of law:

1. Civil law and criminal law
2. Public law and private law
3. Municipal law and international law
4. Common law and equity
5. Substantive and procedural law

QUESTION SEVEN

What do you understand by the following terms?

- a) Ratio Decidendi
- b) Stare Decisis
- c) Res Judicata
- d) Obiter Dictum
- e) Distinguishing cases

QUESTION EIGHT

Section 15 (1) of the Judicature Act provides: "Nothing in this Act shall deprive the High Court of the right to observe or enforce the observance of, or shall deprive any person of the benefit of, any existing custom, which is not repugnant to natural justice, equity and good conscience and not incompatible either directly or by necessary implication with any written law".

What are the preconditions for custom to qualify as an applicable law in Uganda? (25Marks)