



**JULIUS NYERERE SCHOOL OF SOCIAL SCIENCES**  
**DEPARTMENT OF RURAL AND URBAN DEVELOPMENT/HUMAN**  
**RESOURCE MANAGEMENT**

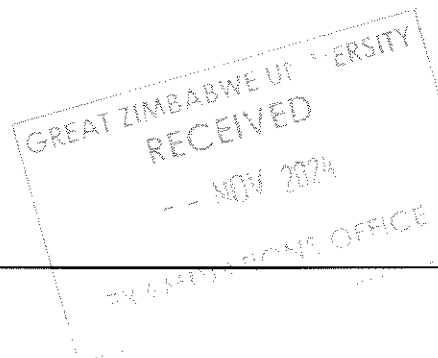
**LEVEL 2 SEMESTER 1/LEVEL 4 SEMESTER 1**

**EXAMINATION QUESTION PAPER**

<b>MODULE CODE</b>	<b>PPMH 214/ LGSH 415</b>
<b>MODULE NARRATION</b>	<b>ADMINISTRATIVE LAW</b>
<b>DATE</b>	<b>2024</b>
<b>DURATION</b>	<b>3 HOURS</b>

**INSTRUCTIONS TO CANDIDATES:**

- 1. Clearly number all the questions you are answering.**
- 2. Section A is a compulsory question.**
- 3. Answer any two questions in section B.**
- 4. You are advised to cite relevant authorities to support your answer.**
- 5. This Examination is out of 70 marks.**
- 6. Write legibly.**



## SECTION A (COMPULSORY)

- 1a) State the five sources of administrative law. **[5 Marks]**
- b) 'A civil servant has been dismissed from their position without being given an opportunity to be heard. They believe this violates principles of natural justice.' Analyze the potential legal challenges the civil servant can raise. What procedural safeguards should have been in place to ensure a fair dismissal process? **[25 Marks]**

## SECTION B

2. "The principle of legality requires that a public authority must have a legal warrant to take the action in question. All grounds for judicial review of administrative decisions fall under the broad doctrine of *ultra vires*. Whenever the courts set aside the decision of a public authority on the grounds of illegality or irregularity, they are doing so because the public authority has acted *ultra vires* its powers." Discuss the correctness of this statement. **[20 marks]**
3. In order to have a decision set aside on the grounds of breach of the principle of *nemo iudex in sua causa* is it necessary to establish that the decision-maker was actually biased against the person seeking to have the decision set aside. **[20 Marks]**
4. "The idea still persists in some quarters that delegation of legislative powers is at best a necessary evil, a constitutional impropriety to be half-heartedly condoned on the grounds of expediency, but a potentially serious threat to the liberties of the subject." Evaluate this attitude towards delegated legislation and critically consider the adequacy of the controls over delegated legislation in Zimbabwe. **[20 Marks]**
5. Critically discuss the following statements:
- a) A person should not be obliged to exhaust his or her domestic remedies before bringing an action in the High Court for judicial review of that decision. **[10 MARKS]**

- b) Administrators should always be obliged to give full reasons for all administrative decisions that they make, no matter how trivial the decisions may be. **[10MARKS]**

**END OF PAPER**