



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

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MAIN EXAMINATION

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FACULTY OF ARTS AND SOCIAL SCIENCES

**DEPARTMENT OF SOCIAL SCIENCES
REGULAR EXAMINATION**

UNIT SPO 355 INTRODUCTION TO ADMINISTRATIVE LAW

Date: DECEMBER 2020

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and any other TWO Questions

1.
 - a. Discuss the subject matter of administrative law and give the reasons that led to its rapid expansion (5 marks).
 - b. How does the administrative law check the abuse of power by the state officers? (5 marks).
 - c. “Administrative law ensures impartial settlement of disputes.” Discuss (5 marks).
 - d. Explain the origin and the roles of the ombudsman in the administrative law (5 marks).
 - e. “Administrative law promotes accountability by those wielding power.” Discuss (5 marks).
 - f. Explain the different types of administrative agencies and their functions (5 marks).
2.
 - a. “There are at least ten reasons which can be given for the expansion of administrative law. One of these was the growth of the socio-economic functions and increasing power of the Government.” Name at least six of these reasons and with examples

- explain why each one of them led to the growth of the administrative law in your country (10 marks).
- b. Explain the origin and the philosophy behind the doctrine of the separation of power, and why is it important in administrative law? (10 marks).
- 3.
- a. It is said that there are many sources of administrative law. Discuss the main sources of administrative law in respect to your country (5 marks)
- b. ‘Natural justice is the essence of fair adjudication, deeply rooted in tradition and conscience, to be ranked as fundamental.’ Discuss this statement and explain why it is considered as “fundamental.” (10 marks).
- c. Explain the meaning of the Latin phrases of “*Nemo debet esse iudex in propria causa*” and “*Audi alterem partem.*” (5 marks).
- 4.
- a. How does the concept of court hierarchy contribute to administrative law in your country (Kenya, Uganda, etc.)? (5 marks).
- b. Name the different types of prerogative orders and explain their roles in administrative law. (10 marks).
- c. The Natural Law principles of ‘Hear the Other Side’ and ‘No one should be a judge in own cause’ is broken down into nine sub-rules. Name at least seven of them and explain their roles in the fair administration of justice in Kenya or in the country of your origin. (5 marks).

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