



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

P.O. Box 62157

00200 Nairobi - KENYA

Telephone: 891601-6

MAIN EXAMINATION

SEPTEMBER – DECEMBER 2019 TRIMESTER

FACULTY OF ARTS AND SOCIAL SCIENCES

DEPARTMENT OF SOCIAL SCIENCES

REGULAR PROGRAMME

SPO 355: INTRODUCTION TO ADMINISTRATIVE LAW

Date: DECEMBER 2019

Duration: 2 Hours

INSTRUCTIONS: Answer Questions ONE and any other TWO Questions

- Q1. a) What is administrative law and what the factors that led to the rapid spread of the administrative law? **(3 marks).**
- b) Explain administrative fairness as spelt out in the Fair Administrative Action Act **(3 marks).**
- c) Name and explain the two types of agencies as well as the advantages and disadvantages of each one of them? **(4 marks)**
- d) What are the Red-Light Theory and the Green Light Theory? **(4 marks)**
- e) What is the importance of administrative law in your area of specialization? Provide at least five examples why administrative law is important to your area of specialization (e.g. political science, economics, social work or sociology) **(4marks)**

f) Explain at least five areas of administrative interventions in environmental matters (4 marks)

g) Name and discuss all the principles of natural justice and outline their importance to society (8 marks)

Q2. a) Define and explain the term *Ombudsman* and trace its historical origin (5 marks)

b) Name the factors that led to the rapid spread of the Ombudsman in the world as well as in Africa? (5 marks)

c) Trace and explain the development of Ombudsman in Kenya (3 marks)

d) What are the core functions of the office of the Ombudsman in Kenya? (3 marks)

e) What would you propose in order to strengthen the office of Ombudsman in Kenya? (4 marks)

Q3. (a) Discuss the core functions and the role of the Kenya Commission on Human Rights in administrative action in Kenya? (5 marks)

(b) Discuss the meaning of 'marginalised groups' and name the four functions of the National Gender and Equality Commission in alleviating the problems of the 'marginalised groups.' (5 marks)

(c) Mrs Mzee wants to make a complaint to both the Kenya Commission on Human Rights and to the National Gender

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it.

Equality Commission. Explain to her how she can go about

(5 marks)

- (d) Do you consider the two commissions as effective in their roles? Illustrate your answer with at least three examples **(5 marks)**

Q4. a) Explain what is meant by the three functions of administrative process **(5 marks).**

b) Explain with examples the limitations on agency powers? **(5 marks).**

c) Name the key functions of agencies and explain why agencies are considered important in administrative law **(5 marks)**

d) Explain the meaning of participation and discuss the importance of participation in administrative law? **(5 marks)**

Q5. a) Explain meaning of the term 'Tribunal' and trace the rise and the reasons that led to the growth of tribunal system. **(5 marks)**

b) Discuss the common problems encountered in the set up and the running of the tribunals **(5 marks)**

c) In what ways could the tribunals in Kenya be improved? Give at least five different alternatives on how to improve the tribunals in Kenya **(5 marks)**

d) What are the central contributions of tribunal to our society?

(5 marks)

END