



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

FIRST YEAR EXAMINATION FOR THE AWARD OF THE DEGREE OF
MASTERS IN PUBLIC ADMINISTRATION AND PUBLIC POLICY
SECOND SEMESTER, 2021/2022
(JUNE-SEPTEMBER, 2022)

MPA 824: ADVANCED ADMINISTRATIVE LAW

STREAM: Y1 S2

TIME: 3 HOURS

DAY: MONDAY, 9:00-12:00 PM

DATE: 00/10/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.***
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.***

QUESTION ONE

According to Robson, administrative law should be regarded as the law relating to public administration in the same way as commercial law relates to commerce or land, basing your argument on the above, discuss the doctrine of separation of powers. (20 marks)

QUESTION TWO

A person affected by an administrative action is entitled to claim natural justice. Discuss the circumstances when the requirement of natural justice may be excluded. (20 marks)

QUESTION THREE

Apart from litigation, disputes can be settled through other dispute resolution mechanisms which include; arbitration, negotiation, and mediation. Discuss the effects of arbitration agreement. (20 marks)

QUESTION FOUR

The high court in Kenya has jurisdiction to issue any order and give such direction as it may consider appropriate. Discuss the orders giving examples in Kenya when such orders were given in prominent cases. (20 marks)

QUESTION FIVE

The supreme court of Kenya has exclusive original jurisdiction to hear and determine disputes relating to presidential elections in Kenya. Recently they pronounced themselves on the 2022 presidential elections. This was condemned and applauded in equal measure. In line with this argue for the independence of the judiciary. (20 marks)

QUESTION SIX

Bias appears in various forms which may affect the decision of the court in many ways. Discuss (20 marks)