



**KISII UNIVERSITY**  
**UNIVERSITY EXAMINATIONS**

**FIRST YEAR EXAMINATION FOR THE AWARD OF**  
**MASTER OF ART IN PUBLIC ADMINISTRATION AND PUBLIC POLICY**  
**FIRST SEMESTER, 2021/2022**  
**(FEBRUARY - JUNE, 2022)**

**MPPA 824: ADVANCED ADMINISTRATIVE LAW**

**STREAM: Y1 S1**

**TIME: 3 HOURS**

**DAY: WEDNESDAY, 9:00 – 12:00 P.M.**

**DATE: 25/05/2022**

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**INSTRUCTIONS**

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

**QUESTION ONE (COMPULSORY)**

In *Penina Wothaya Wachira vs Methodist University* (Unreported 2018), the High Court held that ‘for the petitioner to succeed in review in academic matters, these areas are not disturbed by courts unless the decisions under challenge are constitutionally so fragile and unsustainable.

Using this holding as a point of departure and with reference to decided cases, discuss the essence and grounds of judicial review in Kenya. **(20 Marks)**

**QUESTION TWO**

With the help of examples and decided cases, discuss the principles of natural justice as applicable in Kenya. **(20 Marks)**

**QUESTION THREE**

Among other things, the rule of law entails ‘a mechanism, process, practice or norm that supports the equality of all citizens before the law secures a non-arbitrary form of government and more generally prevents arbitrary use of power.’ By giving examples as may be appropriate discuss the principles of the rule of law as applicable in Kenya. **(20 Marks)**

#### **QUESTION FOUR**

- a) Discuss the legal basis of fair administrative action in Kenya. **(8 Marks)**
- b) In your view and giving reasons for your answers, is the law on fair administrative action in Kenya Satisfactory? **(12 Marks)**

#### **QUESTION FIVE**

By giving examples discuss the following;

- a) *Ultra vires* **(4 Marks)**
- b) Common Law **(4 Marks)**
- c) *Cerciorari* **(4 Marks)**
- d) Delegated legislation **(4 Marks)**
- e) *Locus standi* **(4 Marks)**