



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

**SPECIAL EXAMINATIONS**  
**FIRST YEAR EXAMINATION FOR THE AWARD OF THE**  
**DIPLOMA IN LAWS**  
**SECOND SEMESTER, 2021/2022**  
**(FEBRUARY - JUNE, 2022)**

**DLAW 0122: ADMINISTRATIVE LAW**

**STREAM: Y1 S2**

**TIME: 2 HOURS**

**DAY: TUESDAY, 11:30 – 1:30 P.M.**

**DATE: 26/07/2022**

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**INSTRUCTIONS**

- 1. Do not write anything on this question paper.***
- 2. Answer question ONE (Compulsory) and any other TWO questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

**QUESTION ONE**

Jackline, a diploma law student at Kisii University School of Law has been invited to a public Lecture on judicial review. She has approached you for advice on this presentation.

- Explain to Jackline five grounds for judicial review. [20 Marks]
- Explain to Jackline the weaknesses in judicial review. [10 Marks]

**QUESTION TWO**

Discuss conditions that state agencies must consider in their administrative actions for the same to fulfill the requirement of a fair administrative action.

[20 Marks]

### **QUESTION THREE**

“When Parliament through an Act of Parliament delegates legislative authority to any branch or organ of government, the resulting subsidiary legislation must be in conformity with the Constitution and the Parent Act otherwise it will be null and void.” Anonymous.

From the foregoing, discuss under what circumstances subsidiary legislation will be declared ultra vires, null and void. [20 Marks]

### **QUESTION FOUR**

Administrative Law is law relating to public administration. It is concerned with legal point of view, with the form and constitutional position of public authorities, their powers, duties and procedures followed in exercising them.” Anonymous.

From the foregoing, discuss FOUR remedies that would be available to a person who has been aggrieved by an administrative action. [20 Marks]

### **QUESTION FIVE**

In the case of *R-v- Sussex* (1924) 1KB 256, the court observed that justice must not only be done but must manifestly seen to be done.

Discuss the nature and scope of rule of natural justice. [20 Marks]