



KENYATTA UNIVERSITY

UNIVERSITY EXAMINATIONS 2011/2012

SECOND SEMESTER EXAMINATION FOR THE DEGREE OF BACHELOR OF LAWS

LPR: 202: ADMINISTRATIVE LAW I

DATE: FRIDAY, 20TH APRIL 2012

TIME: 3.00 P.M. – 5.00 P.M.

INSTRUCTIONS

1. Answer Question ONE and any other two Questions.
2. You will be penalized for not answering Question One
3. Support your answer with relevant case law, statutes, conversations and any other references wherever necessary.
4. Write neatly and legibly.
5. Indicate your student registration number on your answer sheet.

Questions

1. Administrative law is about three main aspects of public administration namely its institutional, normative framework and the accountability of public administrators for the performance of their functions, the exercise of powers, and the discharge of their duties, that is, it is concerned with the enforcement of the norms that regulate public administration.

Under the general principles of administrative law, administrative law is both constraining and facilitating.

Discuss in reference to the constraining and facilitating aspects (30 marks)

2. Local government Act cap 265 Cap is an Act of Parliament to provide for the establishment of authorities for local government, to define their functions and to provide for matters connected therewith and incidental thereto.

Describe the functions and operations of local authorities underlying their establishment.

(20 Marks)

3. 'Not all the norms that frame and regulate public administration are legal in a strict sense.'

Explain with reference to the English legal system

(20 Marks)

4. In the common law, there are two principles of fair procedure traditionally referred to as the "rules of natural justice".

Describe these two principles

(20 Marks)

5. Briefly explain any two of the following

(10 Marks each)

- a) Prerogative power
- b) The By-Laws
- c) Primary legislation
- d) Subsidiary legislation
