

**NATIONAL UNIVERSITY OF LESOTHO**  
**FACULTY OF LAW**  
**LL.B SUPPLEMENTARY EXAMINATIONS**  
**L2309- ADMINISTRATIVE LAW I**

**AUGUST 2023                      MARKS: 100                      TIME: 3 HOURS**

**INSTRUCTIONS:**

1. There are six questions and two sections.
2. Answer **FOUR (4)** questions in all, with at least one question from each section.
3. All questions carry equal marks.
4. Answer each question on a separate page.

## **SECTION A**

### **QUESTION ONE**

Comment on the view that although the power of law-making is an exclusive mandate of parliament, there are however instances where such powers may be exercised by some other institution of government.

**[25 MARKS]**

### **QUESTION TWO**

Using Lesotho as your case study, critically discuss the view that Local Government is an unnecessary replica of what obtains at the central level.

It is expensive and cannot be afforded by a weak economy such as ours.

**[25 MARKS]**

### **QUESTION THREE**

Comment on the view that the chieftainship system in Lesotho is a serious affront to democracy and consequently has no place in the current democratic dispensation.

**[25 MARKS]**

### **QUESTION FOUR**

Comment on the view that the study of Administrative Law is founded on the vesting, exercise and control of public power.

**[25 MARKS]**

## SECTION B

### QUESTION FIVE

Ralinku is a livestock farmer of Lihlabeng. In the last three (3) years Ralinku has been a victim of various attacks of stock theft. In all these instances, the thieves were armed with automatic rifles.

Ralinku owns a small 7.65 calibre pistole, with which he has not been able to repel the thieves. In January 2023, Ralinku applied for an automatic rifle license. For one year he has not been furnished with any response from the Commissioner of Police, who is vested with the power to grant fire arm licences.

After several reminders, Ralinku has finally received a response from the Assistant Commissioner of Police captioned in the following terms “I regret to inform you that your application has been unsuccessful.”

Ralinku is unhappy with the response and has come to you for legal advice.

Advise him accordingly.

**[25 MARKS]**

### QUESTION SIX

The University of Selomong Act No.15 of 1997 vests the disciplinary powers of the University in the Senate. This power can either be exercised by the Senate itself or any other person or body acting under the authority of Senate.

In August 2023, the office of the Director of Student Affairs received a report that Senokoane, a third year student had fatally stabbed a fellow student. The incident was reported to the Vice Chancellor as the Chief Executive of the University.

The Vice Chancellor has since written a letter to Senokoane informing him that he has been expelled from the University with immediate effect.

Senokoane is unhappy with the decision of the Vice Chancellor and has come to you for legal advice.

Advise him accordingly.

**[25 MARKS]**