



**COLLEGE OF BUSINESS, PEACE, LEADERSHIP AND GOVERNANCE**

**COURSE: MPM 311 ADMINISTRATIVE LAW, ETHICS & PROFESSIONALISM**

**1<sup>st</sup> SEMESTER EXAMINATIONS**

**NOVEMBER/DECEMBER 2018**

**LECTURER: NYASHA MUTYAMBIZI**

**DURATION: (3 HRS)**

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***INSTRUCTIONS***

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Answer **four** questions only **as instructed** in each section

Start **each** question on a new page in your answer booklet

The marks allocated to **each** question are shown at the end of the question

Credit will be awarded for logical, systematic and neat presentations with the aid of case law, statute and legal authorities.

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## **SECTION A: COMPULSORY QUESTION(40 marks)**

1. Define and explain the following concepts;
  - a) Nemo judex in sua causa rule [5]
  - b) Audi alteram partem rule [5]
  - c) Locus standii? [5]
  - d) Legitimate expectation [5]
  - e) Ultra vires doctrine [5]
  - f) Vicarious liability [5]
  - g) Delegated legislation [5]
  - h) Rule of law [5]

## **SECTION B**

*Answer any **three** questions in this section.*

2. Adjudicators who make administrative decisions must be impartial and unbiased. Under what circumstances can an aggrieved person claim reasonable suspicion of bias in an administrative decision? [10]

Why is it important for administrative authorities to provide reasons for their decisions? [10]

3. Explain the instances under which a court of law will consider the acts of an administrative authority to be ultra vires the law? [20]

4. Outline the meaning and purpose of the following remedies. Under what circumstances are these remedies granted by the court?

1. Interdicts [5]
2. Mandamus [5]
3. Spoliation orders [5]
4. Habeas corpus [5]

5. How critical are the principles of professionalism and ethics in developing Zimbabwe into a middle class economy by 2030? In your answer explain;

- i) Professionalism and ethics? [5]
- ii) Explain the link between administrative justice and professional ethics? [5]
- i) What are the determinants of ethics in public administration and what criteria can be used to deal with ethical dilemmas? [5]
- ii) Recommend how the Zimbabwean government can begin to promote and instil professionalism and ethical conduct in the public sector. [5]

6. Explain the importance of professionalism and ethics in ensuring good governance? [20]

7. Identify and explain the legal provisions in place which provide guidelines for professionalism and ethical conduct in Zimbabwe. [20]



8. Identify and explain aspects that can enhance professionalism and ethical conduct in the public sector [20]

-----End of Exam.....