

‘BOWEN UNIVERSITY, IWO
COLLEGE OF LAW
ADMINISTRATIVE LAW I – PIL 511
FIRST SEMESTER EXAMINATION QUESTIONS
2023/2024 SESSION
ANSWER TWO (2) QUESTIONS FROM EACH SECTION
ANSWER FOUR (4) QUESTIONS IN ALL
ALL QUESTIONS CARRY EQUAL MARKS
TIME ALLOWED : THREE (3) HOURS

SECTION A

- 1a. Prof. Oslo Ajanaku, a renowned Professor of Administrative Law was the guest lecturer at the Owu Day Celebration. In the course of his lecture, he asserted that *in a democratic society the supremacy of the law is an indispensable catalyst for development which is manifested by the presence of certain factors. Evaluate this assertion.*
- 1b. Briefly but rigorously interrogate the sources of Nigerian Administrative Law.
- 2a. The study of Administrative Law is hardly justified just as its essence. **Discuss.**
- 2b. From its primordial stage, Administrative law has been an integral part of Constitutional Law. However, at present, it has attained an independent status and stature although; the rationale for its distinctiveness has remained a quandary of confusion. **Discuss.**
- 3a. In Nigeria, like in many other democratic societies, governmental power is compartmentalized solely for administrative convenience and the functions are distinct but not inseparable. **Discuss this assertion.**
- 3b. The concept of checks and balances is intricate to the maintenance of cohesion amongst the various arms of government by ensuring accountability and transparency. **Discuss.**

SECTION B

- 4a. Certain inimical factors must be taken into consideration before rule makers ascertain the best procedure to adopt to assist them to properly discharge their duties efficiently. **Exhaustively discuss the factors and the available procedures.**
- 4b. It is expedient that subsequent rules or legislations made must be publicized accordingly. **Expatiate.**
- 5a. Two months ago, Victor and his family moved into his magnificent house which was not too far from the Water Working Wonders Corporation, a statutory agency. Few days later, Victor's house was flooded due to a burst pipe of the company which greatly damaged his properties. Immediately, he forwarded a petition to the corporation giving a 14 days ultimatum for the sum of N5m as compensation for his losses. It has been more than two weeks after the ultimatum has lapsed and Victor has not received any reply. He has decided

to sue the corporation and has come to you for advice on the likelihood of the success of the litigation. **Kindly advise him.**

- 5b. State whether your advice would be different or not if shortly before the commencement of the suit, the corporation became fully privatized.
6. Seye, a loved staff in the Ministry of Works has a few months left to her retirement. A fortnight ago, Sope was sworn in as the Minister of Works and he appointed Rinre as his P. A. Shortly thereafter, Seye received a letter of dismissal from the service which was purportedly signed by Sope. She went to see the Minister immediately but she was refused entry by the guards under the instruction of Rinre. She then confronted Rinre who informed her that he acted according to the directive of the Minister which prompted her to demand for the proof of the delegated power; however, she was rebuffed and escorted out of the ministry. Through informants, she got to know that there was no delegation of such power from the Minister to Rinre whatsoever, as laid down by the law and has decided to challenge the wrongful dismissal. **Examine the legal issues involved.**
- 6b. Explain the maxim, *Delegatus non potest delegare* and the exceptions thereto, if any.