Examinations for Academic Year 2015 – 2016

Semester I / Academic Year 2015 Semester II

MODULE: INTRODUCTION TO LAW & LEGAL METHODS

MODULE CODE: LLAW 1101

Duration: 2 Hours
Reading Time: 10 Minutes

Instructions to Candidates:

1. This question paper consists of Section A and Section B.
2. Section A is compulsory.
3. Answer any two questions from Section B.
4. Always start a new question on a fresh page.
5. Total Marks: 100

This Question Paper is printed on BOTH SIDES.

This Question Paper Contains 5 questions and 3 pages.
SECTION A (COMPULSORY)

QUESTION 1: (40 MARKS)

(a) The legal system of each country is shaped by its unique history and the people living there. Explain how the laws are important irrespective of the country. (20 marks)

(b) The Mauritian legal system is unique in the sense that it is a mixed system due to the colonization of the French and English people. Critically comment. (20 marks)

SECTION B: ANSWER ANY TWO QUESTIONS

QUESTION 2: (30 MARKS)

“In many cases, there are some ambiguities or vagueness in the words of the statute that must be resolved by the judge”

(a) Describe the importance of Statutory Interpretation. (10 Marks)

(b) List down and describe the main tools/methods used in order to guide a court in the interpretation of statutes? (20 Marks)
QUESTION 3: (30 MARKS)

“Judicial Review ensures that administrative decisions are taken rationally in accordance with a fair procedure and within the powers given by the Parliament”

(a) What do you understand by the doctrine of Judicial Review? (10 Marks)

(b) Provide the grounds under which Judicial Review can be applied. (20 Marks)

QUESTION 4: (30 MARKS)

There are 3 main organs of a State, the Executive, the Legislative and the Judiciary. Each one of them has specific powers and there is a separation among their powers to promote a proper democratic environment.

(a) What is meant by the concept of separation of powers and why is it important for a Country? (20 Marks)

(b) Critically explain the concept of check and balances of each organ. (10 Marks)

QUESTION 5: (30 MARKS)

The main power of the legislative is to make laws; however to ensure a democracy and fairness in a country when a law is enacted, there is a whole process that should be followed. Describe the legislative process by which a bill becomes a law in Mauritius.

***END OF QUESTION PAPER***