



**NATIONAL OPEN UNIVERSITY OF NIGERIA**  
**FACULTY OF LAW, DEPARTMENT OF PUBLIC LAW**  
**Plot 91, Cadastral Zone, Nnamdi Azikiwe Express Way, Jabi – Abuja**  
**2022\_2 POP EXAMINATION**

**COURSE CODE:** PUL443  
**COURSE TITLE:** ADMINISTRATIVE LAW 1  
**CREDIT UNIT:** 4  
**TIME ALLOWED:** 3 HOURS

**Instruction:** ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS (15 MARKS) EXCEPT QUESTION 1 WHICH CARRIES 25 MARKS.

1. Despite the reasons for the existence of administrative law, autonomous tribunals and the important role they play in the administration of justice, they are being criticised in different ways. Critically discuss these criticisms. 25marks
2. There are various procedural problems in administrative law that affect the making of rules in an organisation. The rule adopted by a particular agency, for instance, Motor Spare Parts Traders Association, may not be applicable to the Nigerian Bar Association or the Nigerian Medical Association. Discuss the factors considered in administrative rule making. 15marks
3. The principle of separation of powers enshrined in the Constitution gives less power to the legislature in exercising control over government agencies. 15marks
  - (a) Discuss judicial power of control of government agencies by the court.
  - (b) Which is considered more effective? Support you answer with judicial authorities.
4. The doctrine of *Ultra Vires* covers not only orders or decisions in excess but other omissions. M C Okany, identified grounds upon which *ultra vires* may arise. Provide a comprehensive analysis of these reasons. 15marks
5. What are the conditions to be met by an applicant seeking for the issuance of *mandamus* before a court of competent jurisdiction? 15marks
6. Describe the utility of *habeas corpus ad subjiciendum* as stated in the case of *Williams v Majekodunmi (1962) 1 ALL NLR 324*. 15marks