



**NATIONAL OPEN UNIVERSITY OF NIGERIA  
FACULTY OF LAW  
DEPARTMENT OF PUBLIC LAW**

**2023\_1 POP EXAMINATION.**

**COURSE CODE: PUL443**

**COURSE TITLE: ADMINISTRATIVE LAW 1**

**TIME ALLOWED: 3 HOURS**

**INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)**

1. When the legislature and the executive powers are united in the same person or body....there can be no liberty. ....again, there is no liberty if the judicial powers is not separated from the legislature and the executive... there would be an end of everything if the same person or body were to exercise all the three powers”- Baron de Montesquieu, Del’spirit des lois. Discuss with clear and particular reference to Administrative Law in Nigeria. Illustrate your answer with lucid examples.
  
- 1b. One of the enduring problems of delegated legislation is to ensure that delegated powers are not abused. Discuss the various means of controlling the administrative powers.  
  
(25 Marks)
  
2. The definition of Administrative Law carries with it two basic problems. First is the problem of extracting the subject from the clutches of Constitutional Law from which it takes its origin. The second problem is that of securing a general acceptable working definition of the subject. Throw more light on this statement. (15 marks)
  
3. Aristotle stated that “the rule of law is preferable to that of any individual” Bracton equally affirms that “the king himself ought not to be subject to man but subject to God, and the law because the law makes the king. **Critically examine these statements.**  
  
(15 Marks)
  
4. Constitutional supremacy places the constitution at the apex of a country’s legal order. It is indeed one of the hallmarks of a truly constitutional democracy. Discuss with specific reference to Nigeria, making specific reference to relevant legal authorities. (15 Marks)

5. “Administrative agency is a governmental authority, other than a court and a legislative body, which affects the rights of private parties through either adjudication, rulemaking, investigating, prosecuting, negotiating, settling or informally acting.” Kenneth Culp Davis. Discuss with reference to Nigeria and illustrate your answer with clear examples from Nigeria. (15 marks)
  
6. Administrative Agencies have the power to make rules but they adopt different methods of rulemaking procedures. Expatiate. (15 marks)