



جامعة السلطان الشريف علي الإسلامية  
UNIVERSITI ISLAM SULTAN SHARIF ALI  
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

**Faculty of Shariah and Law**  
**Semester II, 2017/2018 Academic Session**

**Final Examination Question Paper**

**Course Code : LB 1302**

**Course Name : Constitutional and Administrative Law II**

**Course Level : Bachelor of Laws (LL.B) & Bachelor of  
Shariah Law (BSL)**

**Time : 3 hours**

**Note:**

1. Answer any four of the following questions.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**QUESTION 1 (15 Marks)**

“Administrative law is the most outstanding legal development of the Twentieth Century”. Comment on this statement with reference to the major contributory factors for the growth of administrative law during the 20th Century.

**QUESTION 2 (15 Marks)**

- (a) Define the principles of natural justice. What makes this principle an important component of modern administrative law?

Discuss with reference to relevant case law and authorities.

(8 marks)

- (b) A friend of yours has come to you with the following problem.

His driving licence has been cancelled by Land Transport and Vehicle Department, Brunei Darussalam unexpectedly. No reason was given for this action. The Land Transport and Vehicle Department has the power to cancel a driver’s license. They can cancel the driver’s license immediately. However, they should have to follow certain procedures.

Examine whether licensing authorities have acted judiciously. If not, what procedural impropriety they committed? Your friend wishes to know his position. Advise him accordingly by explaining how courts should address such issues.

(7 marks)

**QUESTION 3 (15 Marks)**

- (a) What is the delegated legislation?

(3 marks)

- (b) Discuss the various factors responsible for the rapid growth of delegated legislations.

(7 marks)

(c). An Act of a state contains a provision that the state Government may extend any section of the Act to a particular area subject to any modifications as the Governments may deem fit. Does the court treat it as valid delegation? Support your answer with case law.

(5 marks)

**QUESTION 4 (15 Marks)**

(a) Discuss the liabilities of the state for the tortious acts of its servants.

( 10 marks)

(b) A complaint was given to college authority by some girl students of a college that some male students of their college entered and misbehaved in the lady's hostel. The enquiry committee recorded the statements of the girls of the hostel in the absence of boys and expelled the boys from the college. Is it valid ? Explain carefully in detail .

( 5 marks)

**QUESTION 5 (15 Marks)**

(a) Recently, Mr. Q was appointed as the Minister in the Prime Minister's office. The relevant Act under which he was appointed, do provide him with wide discretionary powers. However, Mr. Q wishes to act always within his powers. Explain to him by citing relevant authorities, when his decisions could be considered unreasonable.

( 7 marks)

(b) In what circumstances a decision of an administrative body will be found unlawful because of bias on the part of the decision makers.

Support your answer with relevant case law and authorities.

(8 marks)

**QUESTION 6 (15 Marks)**

“Administrative tribunals are an important part of the legal system of a country. Tribunals make decisions in a wide range of areas that have a significant impact on the public. Some tribunals make decisions about rights and benefits or resolve disputes between parties. The tribunals are quasi-judicial, which means that they carry out their decision-making function in a manner similar to courts.” Comment.

بالتوفيق والنجاح