



NATIONAL OPEN UNIVERSITY OF NIGERIA
Plot 91, Cadastral Zone Nnamdi Azikiwe Expressway, Jabi, Abuja; Nigeria
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
MASTERS OF LAW (LL.M) DEGREE EXAMINATIONS
2023_2 EXAMINATIONS

COURSE CODE: PUL804
COURSE TITLE: COMPARATIVE ADMINISTRATIVE LAW II
CREDIT UNIT: 3
TIME ALLOWED: 3 HOURS

Instruction: ANSWER QUESTION ONE (1) AND ANY OTHER TWO (2) QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS (20 MARKS) EXCEPT QUESTION ONE (1) WHICH CARRIES 30 MARKS.

Question 1

- A. Define what is meant by the phrase ‘Tribunal.
- B. What are the distinguishing features of Tribunals?
- C. What is the impact of the decision of the court in *Anisminic v Foreign Compensation Commission (No. 2)* [1969]

Question 2

- A. List the types of injunction available in Administrative Law.
- B. The Supreme Court in the United States have repeatedly observed that the issuance of declaratory relief should have a strong deterrent effect of rendering remedies that are more coercive unnecessary. Examine this position.

Question 3

- A. The discretionary nature of the equitable remedy of declaratory judgment throws up a whole lot of contentious issues for academic discourse. Attempt a definition of what constitutes ‘declaratory judgment’.
- B. The Court’s exercise of discretion should be informed by a number of what is termed ‘prudential factors’. Explain what factors should fit in as one of the factor.

Question 4

Discuss the doctrine of reasonableness under judicial review of administrative decisions.

Question 5

A. Why is it necessary for an Administrative Agency to give reasons for its decisions?

B. In your opinion, are there justifiable circumstances when reasons may such be given?