

UNIVERSITY OF SWAZILAND
INSTITUTE OF DISTANCE EDUCATION
DEPARTMENT OF LAW
SUPPLEMENTARY EXAMINATION PAPER, JULY, 2016.

TITLE: CONSTITUTIONAL LAW 11

COURSE CODE: DL028

TIME ALLOWED: THREE (3) HOURS.

INSTRUCTIONS: 1. THERE ARE FIVE QUESTIONS IN THIS
EXAMINATION PAPER AND FOUR
QUESTIONS MUST BE ANSWERED.

2. QUESTION ONE IS COMPULSORY AND ALL
QUESTIONS CARRY 25 MARKS EACH.

TOTAL MARKS: 100

THIS PAPER SHOULD NOT BE OPENED UNTIL PERMISSION HAS BEEN
GIVEN BY THE INVIGILATOR.

QUESTION ONE

Mr. Mcolisi Gina is a member of the Makholweni Inkhundla, moves a motion in Parliament. He is timed out by the Speaker, but persists in his submission, ignoring the directive of the Speaker to step down. Noting the member's insolence, the other members are annoyed and begin to shout at him to sit down. The member of Hhukwini Inkhundla, Glory Tsabebdze, is upset about the disrespect displayed by members of parliament in the House. She approaches the Speaker of the House to brief them on Parliamentary powers, rights and privileges.

Write a briefing to be presented by the Speaker to the members of the Parliament of Swaziland on the powers, rights and privileges of Parliament.

[25 marks]

QUESTION TWO

Discuss the powers and privileges of Parliament in Swaziland.

[25 marks)]

QUESTION THREE

The doctrine of separation of powers entails that each arm of government should exercise its functions independently of the other arm. Is this doctrine practical in Swaziland? Discuss in detail.

[25 marks]

QUESTION FOUR

Characteristics of the Westminster Model of constitutions have found way into the constitutional system of Swaziland. Outline the key features of the Westminster system as it applies in Swaziland currently.

[25 marks]

QUESTION 5

(a) In whom is the executive authority of Swaziland vested?

[10 marks]

(b) To what extent has the principle of ministerial responsibility been adopted in Swaziland?

[15 marks]

[TOTAL: 25 MARKS]