

UNIVERSITY OF FORT HARE

LOCAL GOVERNMENT LAW  
LEG 422E

MAIN EXAMINATIONS

Time: 3 HOURS  
Subject: LEG 422E  
Marks: 100

This paper consists of 2 pages including the cover page

Internal Examiners  
Prof ES NWAUCHE

External Examiners  
Adv AW Makulana

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INSTRUCTIONS

1. Question 1 is compulsory. Answer one out of question 2 & 3.
2. It is in your best interest to write clearly and legibly
3. Rely on relevant case law and statutory provisions

1(a) Critically examine the assertion that metropolitan municipalities are better disposed to deliver service to her residents.

[25]

(b) You have been given a briefing in the office of the Vice President of the Republic of South Africa that the 'welfare of refugees' and the 'satisfaction of the electorate' are the only two factors to be taken into consideration in achieving the objectives of the demarcation process. Do you agree? Critically examine if and how these factors relate to the objectives of the demarcation process?

[25]

[50]

2(a) In the recent controversy in Bluewatch Metropolitan Municipality, in the Free State, five councilors resigned from Progress Party and joined another party, the Jubilee Party. The officials of Progress Party now allege that these five councilors have breached the Councilors Code of Conduct.

Do you agree? Write an opinion with the aid of authority

[25]

(b) Critically discuss the nature power and duties of Ward Committees in community participation in municipal governance in South Africa.

[25]

[50]

3 (a) You have been invited to deliver a lecture titled "Separation of powers is not needed in South Africa's municipalities". Please write out your lecture.

[25]

(b) Autonomy is at the heart of the constitutional framework of municipal governance. Do you agree? Support your answer with authority>

[25]

[50]