

UNIVERSITY OF FORT HARE
NELSON R. MANDELA SCHOOL OF LAW
(East London Campus)

JURIDICAL INTERPRETATION
LEJ121E

DEGREE EXAMINATIONS

OCTOBER/NOVEMBER 2019

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Time: 3 hours
Subject: Juridical Interpretation
Marks: 100

This paper consists of 2 pages including the
cover page

Internal Examiners

Mr N Ndhlovu
Adv. Vuyo Booysen

INSTRUCTIONS

1. Answer ALL Questions.
2. Do not separate subsections of questions.
3. Refer to case law, statute or any relevant authority where applicable.
4. Pay careful attention to time and marks allocated.

QUESTION 1:

- A. Give a detailed summary of Interpretation Act. (15)
- B. Give a detailed discussion of how the Courts accomplish their judicial law-making function under the new Constitutional dispensation without usurping the function of the legislature. (10)
- C. How do Courts interpret the Constitution? Discuss in details comprehensive methodologies of interpretation. Refer to case law where applicable. (25)

[50]

QUESTION 2:

- A. Discuss in details two methods of interpretation with reference to applicable cases and sections of the Constitution. (25)
- B. Discuss the law making process in South Africa. (10)
- C. Define in details peremptory and directory provisions with reference to applicable case law. (10)
- D. A long title is one of the structural components of a statute. Write a long title for a new Act to regulate same-sex marriages. (5)

[50]

100 Marks
