



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW

EXAMINATION PAPER

COURSE CODE : LLB 123
COURSE TITLE : Interpretation of Statutes
DURATION : 3 Hours
LEVEL : 1.2

17 FEB 2022

INSTRUCTIONS TO CANDIDATES:

1. Answer **all** questions.
2. Notes, handouts and textbooks are not allowed into the examination.
3. Begin each answer to a full question on a fresh page.
4. You are required, to write legibly.
5. You are directed to avoid using short hand and poor grammar.
6. During the course of your answers you must refer to any relevant case law, legal principles and legislation that may be applicable.
7. No cellphones are allowed into the examination room as well as all data storing devices. Failure to comply will lead to automatic disqualification.

1. "Failure of the courts to apply the common law rules of interpretation undermines democracy."
Discuss [20 marks]
2. Discuss the theories of statutory interpretation. [20 marks]
3. "In order to promote democracy, the legislature must be taken to want to effect exactly what it says in its laws, therefore if the courts are allowed to draw inferences or to give a non-literal meaning to the words used in a statute, then the will of the legislature, and that of the people will be opposed or undermined." With reference to case law discuss the validity of this assertion. [20 marks]
4. With reference to decided case law authorities, discuss the following approaches to statutory interpretation;
 - a. The narrower textual approach to statutory interpretation. [10]
 - b. The wider and contextual approach to statutory interpretation. [10]
5. The Exchange Control Regulations make it an offence to deal in foreign currency on public place. A public place is defined as any street, road, passage, square, park, recreation ground or any space to which for the time being the public or any section thereof has or is permitted to have access, whether on payment or otherwise. John has been into the business of dealing in foreign currency for some time. The money is kept in a private room where the public has no access. Customers just call him and he drives into the central business district where he conducts his business in his car. The police have raided his private room and recovered large sums of foreign currency. He is charged with contravening the Exchange Control Regulations.

Advise John on whether he has a defence to the charge of contravening the Exchange Control Regulations. [20 marks]

END OF PAPER