

**ZIMBABWE EZEKIEL GUTI UNIVERSITY**

**FACULTY OF LAW**

**INTERPRETATION OF STATUTES-LLB108**

**DURATION: 3 HOURS**

**INSTRUCTIONS TO CANDIDATES**

1. Answer **ALL** questions.
2. **Materials allowed into examination room**
  - a) Constitution of Zimbabwe Number 20 of 2013.
  - b) Interpretation Act [Chapter 1:01].

22 JAN 2020

23 JAN 2020

**INFORMATION FOR CANDIDATES**

1. Credit shall be given for referring to case law, statutes or any other authorities wherever applicable.
2. Notes, handouts and textbooks are not allowed into the examination.
3. Cellphones are not allowed into the examination room.
4. Begin each answer to a full question on a fresh page.

**Question 1**

To what extent is the literal rule important in statutory interpretation?

[20 marks]

**Question 2**

Discuss the position of the law on the following aids to statutory interpretation;

- a) Marginal notes. (5)
- b) History of a statute. (5)
- c) Parliamentary debates. (5)
- d) Headings. (5)

[20 marks]

**Question 3**

Assess the relevance of any four presumptions of statutory interpretation.

[20 marks]

**Question 4**

John, who is an accountant by profession, is interested in learning new things. In December 2018, he was invited to a legal practitioner's conference. While attending the conference he heard two legal practitioners discussing how the judge in a certain case had applied the maxims *ejusdem generis* and *noscitur a sociis* in the interpretation of a provision of a statute. He just wrote down the two maxims and he has now approached you for further information.

**Required**

With reference to case law and statutory provisions, advise John on the application of the maxims *ejusdem generis* and *noscitur a sociis*.

[20 marks]

**Question 5**

'The application of the mischief rule coupled with a purposive approach to statutory interpretation negates the doctrine of separation of powers'. Discuss

[20 marks]

[END OF EXAMINATION -100 MARKS]