

ZIMBABWE EZEKIEL GUTI UNIVERSITY



FACULTY OF LAW

JUNE 2017 EXAMINATIONS

PAPER CODE: LLB 108 Interpretation of Statutes
DURATION: 3Hours
AUTHORISED MATERIALS: Unannotated statutes and case lists

INTSRUCTIONS:

1. This paper contains seven (7) questions
2. Answer all questions.
3. Start each question on a new page.
4. This question paper comprise 3 printed pages

NB: DO NOT TURN OVER THE QUESTION PAPER OR COMMENCE WRITING UNTIL INSTRUCTED TO DO SO.

Question 1

When is it necessary to interpret statutes? (8) marks)

Question 2

The main object in statutory interpretation is to arrive at the legal meaning of an enactment. Critically discuss how the courts seek to achieve this role? (20 marks)

Question 3

Using case law illustrate how court have applied the Literal rule in interpreting statutes. (15 marks)

Question 4

Refer to the Interpretation Act (Chapter 1:01) and answer the following questions:

(a) Mkolisi is charged with contravening a section of the Firearms Act. While he still on remand, the relevant section of the Act is repealed. What should happen to his prosecution?

(4 marks)

(b) The Electoral Act gives the Minister the power to appoint members of the Election Directorate. The Act is silent on whether or not the Minister has power to remove an appointed member of the Election Directorate. Can the Minister remove such an appointed member?

(4 marks)

Question 5

Explain with aid of examples the presumptions in statutory interpretation? (21 marks)

Question 6

Discuss the following maxims to statutory interpretation;

- (i) *Ejusdem generis* (4 marks)
- (ii) *Noscitur a sociis* (4 marks)
- (iii) *Expressio unius est exclusio alterius* (4 marks)
- (iv) *Contemporanea expositio* (4 marks)
- (v) *Reddendo singula singulis* (4 marks)

Question 7

What is the legal position regarding the following aids of interpretation:

- (i) preamble
- (ii) headings
- (iii) the long title
- (iv) Schedules (8 marks)

END OF EXAMINATION QUESTION