

CHUKA



UNIVERSITY

UNIVERSITY EXAMINATIONS

THARAKA UNIVERSITY COLLEGE

EXAMINATION FOR THE AWARD OF DIPLOMA IN LEADERSHIP
AND PUBLIC ADMINISTRATION

LAPA 0130: INTRODUCTION TO LEGISLATIVE ADMINISTRATION

STREAMS: DIP. LAPA

TIME: 2 HOURS

DAY/DATE: MONDAY 09/12/2019

2.30 P.M. – 4.30 P.M.

INSTRUCTIONS: Answer question ONE and any other TWO questions

QUESTION ONE

- (a) The leading justification for the existence of law reform commission or agency is the simple proposition that “the law, like any other human creation has defects, some of them serious. It is in constant need of improvement. The need for reform arises for many reasons. Institutions fashioned in the past may no longer meet the demand placed on them by a growing population that functions increasingly in a globalized economy; developments in technology may spawn problems that humanity has not previously encountered, social attitudes and values may have changed in a manner that needs to be reflected in the law; and old laws may need to be refreshed to modernize their language and remove obsolete provisions. Since the whole body of the law stands potentially in need of reform, there should therefore be a standing agency of appropriate professional experts to consider reform continuously. What are the main seven characteristics of a law reform agency. [14 marks]

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- (b) In respecting and upholding the dictates of the constitution, the executives and legislatures at both levels of government, legislative drafters, civil society organizations, the private sector, professional groups and any other person or entity engaged in the legislative process must ensure that the instrument in question (whether a policy, bill, order, or a set of rules or regulation) exhibits a number of characteristics. Discuss [6 marks]
- (c) One of the most important features of our constitutional framework is the requirement of public participation in governance and other administrative activities. Specifically, bring out the articles in our laws fronting this provision. [10 marks]

QUESTION TWO

There are mandatory tenets, values and principles of the constitution that ought to be applied and considered by all actors involved in one way or the other in the legislative process. These considerations are summarized under the number of rubrics. Discuss any five rubrics [20 marks]

QUESTION THREE

- (a) Discuss some factors to consider in the policy making process [10 marks]
- (b) Discuss the stages in policy formulation process [10 marks]

QUESTION FOUR

- (a) Upon completion of the other preliminary drafting stages, the drafter proceeds to the actual stages of drafting the bill. Here the drafter must appreciate the salient features that must be present in any bill. These features therefore form the broad framework of the proposed bill. Explain the four principle provisions the drafter should consider. [8 marks]
- (b) A bill is draft legislation for consideration by parliament or county assembly. Each member receives a copy of every bill which is for introduction in the house. Upon approval and assent to by the president or governor, it becomes an Act of parliament or county assembly. What are the stages the bill passes through in county assembly. [12 marks]
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