

**MAKERERE UNIVERSITY
SCHOOL OF LAW
MODULE: JUDICIAL REVIEW**

Judicial review is a process by which courts of law intervene in administrative decisions. This is done where it is alleged that an administrative decision or action has been made illegally, or a result following wrong procedures or following a process that reflects abuse of discretionary powers.

Judicial Review is contrasted from other legal processes. A complainant who is aggrieved against a decision of an administrative official has many options including the following options for redress.

Objectives

At the end of this session, you should be able to:

- Know the various legal options available against public officers who act contrary to the law.
- Understand the Doctrine of *Ultra Vires* - acting within powers given.
- Know the relevancy of procedures.
- Internalize what constitutes abuse of discretionary powers.

a) Administrative Tribunals

A complainant may file his/her case before an administrative tribunal if there is a law providing for grievances of that nature to be filed in a tribunal. Tribunals are established by Acts of Parliament. They are given jurisdiction of our particular matter e.g. The Tax Appeal Tribunal is established by an Act of Parliament and it is given powers of resolving tax disputes between the tax payer and Uganda Revenue Authority. Another example is the Industrial Court which is established by the Labour (Disputes) Act to handle disputes between employers and employees on matters relating to employment. It therefore covers matters relating to terms and conditions of service and other aspects covered in the employment laws. The powers and procedures of each tribunal is ascertainable from the enabling law of a particular tribunal.

Activity

Revisit the section on Administrative Tribunals. Identify five tribunals and indicate their areas of jurisdiction.

b) Appeals

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Clifford Lane



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