INTERNATIONAL UNIVERSITY OF EAST AFRICA
'Learning to Succeed'

FACULTY OF LAW

END OF SEMESTER EXAMINATIONS - DECEMBER 2025

PROGRAMME: LLB
YEAR/SEM: YEAR 3/SEMESTER 1
COURSE CODE: LLB 3106
NAME: FAMILY LAW II

DATE:
TIME:

INSTRUCTIONS TO CANDIDATES:

SECTION A

The question is compulsory

Question 1:

Eleanor, a retailer in town, has three sons with her boyfriend Peter. The boys are aged 5, 8, and 10 years respectively. Eleanor and Peter were high school sweethearts, but their relationship turned sour when Peter decided to start a romantic relationship with Janet, a TikTok celebrity renowned for her notorious nude videos. Peter has threatened to take the children with him when he begins living with his new sweetheart, claiming that they can be mentored into fame by his beloved Janet. Eleanor is devastated and fears that she may lose her children.

Kathy has been cohabiting with James for 15 years and the couple has four children. James died six months ago without leaving a will. He left a very large estate comprising prime land along Kansanga Road as well as UGX 800,000,000/= in NSSF savings. James' family is claiming all the money and the estate. Kathy wants to utilize and protect the estate but does not know where to begin.

On the other hand, Alex has a 15-year-old son who owns land in his name. The child needs a bone marrow transplant that costs a fortune. Charity events have been organized for him; however, a balance of UGX 35,000,000/= is still required to enable him to travel to India for the operation. Alex believes that if the land is sold, he will be able to raise the money needed to meet the urgent medical needs,

but all potential buyers are afraid to buy land from a child. She needs advice.

Advise the above parties on the issues arising and the legal remedies available. (25 marks)

Question 2:

Janice has two sons with Mustapha: Ali, aged 7 years, and Hamisi, aged 6 years. Ever since the children were born, Mustapha has never contributed a penny to their well-being. When Janice and Mustapha separated in 2019, Mustapha celebrated, and as a sign of relief he sent a text message to Janice saying, *"Good riddance to your silly bastards. I cannot possibly father such kids. They belong to your ex-boyfriend Kato!"* Janice lost her job a few months ago and has been struggling to take care of the two children. She firmly believes that Mustapha is the father of the children, but he continues to deny and refuses to take any responsibility. In fact, Mustapha threatens that if Janice continues to "nag" him about taking care of the children, he will take the children away from her and leave them in the care of his 80-year-old blind grandmother in the village, and Janice will never be able to see them again. This scares Janice a great deal.

On the other hand, Janice's sister Beatrice has a 14-year-old daughter, Max, who owns land in her name. The child needs cancer treatment that costs a fortune. Charity events have been organized for her; however, a balance of UGX 40,000,000/= is still required to enable her to travel to Germany for the operation. Beatrice believes that if the land is sold, she will be able to raise the money needed to meet the urgent medical needs, but all potential buyers are

afraid to buy land from a child. She needs advice.

Janice’s best friend Mary cohabited with John for 15 years, and they have three children. John died six months ago without leaving a will. He left a very large estate comprising money in the bank estimated at UGX 100,000,000/=. Mary wants to withdraw the money and use it for the children’s needs, but the bank has refused to grant her access without the required legal documents. Mary is confused and does not know what to do.

Advise the above parties on the issues arising and the legal remedies available. (25 marks)

SECTION B

Answer any one of the two

Question 1:

Write short notes on the following:

a) Difference between an inventory and an account under succession law **(5 MARKS)**

b) Duties of an executor **(5 MARKS)**

c) Process of acquiring a certificate of no objection **(5 MARKS)**

d) Importance of section 23 of the succession Act Cap 268 **(5 MARKS)**

e) Revocation of wills **(5 MARKS)**

Question 2:

Write short notes on the following:

a) Revocation of grants **(5 MARKS)**

b) Roles of a probation and social welfare officer **(5 MARKS)**

c) Contents of a valid will **(5 MARKS)**

d) Priority in applying for letters of administration **(5 MARKS)**

e) Rules relating to residential holding under succession **(5 MARKS)**

Question 3:

Write short notes on the following:

a) Welfare principle **(5 MARKS)**

b) Revocation of adoption orders **(5 MARKS)**

c) Section 23(2) maintenance of dependant relatives **(5 MARKS)**

d) Rights of unborn child **(5 MARKS)**

e) Effects of a declaration of parentage **(5 MARKS)**

Question 4:

Write short notes on the following:

a) Administration of testate estates (5 MARKS)

b) Contents of a valid codicil (5 MARKS)

c) Revocation of guardianship order **(5 MARKS)**

d) Key beneficiaries in intestate succession (5 MARKS)

e) Duration of validity of grants under the Succession Act (5 MARKS)

SECTION C

Answer any two of the four

Question 1:

"The welfare principle is somewhat irrelevant. It can be used as a tool by the judges to decide whichever way they want. It serves no relevant purpose in the laws relating to children." With use of relevant legal authorities, discuss the veracity of the statement. (25 marks)

Question 2:

Adoption is a process by which natural and biological ties between a child and the natural parents are extinguished and vested in the adopting parent(s). **With reference to the law relating to children in Uganda, and relevant case law, discuss the effectiveness of the rules governing Inter-country adoption in Uganda.** (25 marks)

Question 3:

Discuss the law on testate succession and the procedure taken to administer estates of testate persons in Uganda. (25 marks)

Question 4:

"The Succession Act Cap 268 was recently amended, but still has lot to be done to enable effective protection in instances of succession." With use of relevance legal authorities, discuss the validity of the above statement. (25 marks)

Question 5:

"Once a grant of administration /execution has been made by a competent court of jurisdiction, it is final and lasts a lifetime." With use of relevance legal authorities, Examine the validity of the above statement. (25 marks)