



NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY

FACULTY OF THE BUILT ENVIRONMENT

DEPARTMENT OF LANDSCAPE ARCHITECTURE AND URBAN DESIGN

PROPERTY LAW 11

BLP 2202

Main Examination Paper

July 2016

This examination paper consists of 3 pages

Time Allowed: 3 hours

Total Marks: 100

Special requirements: Land acquisition Act (Chapter 20:10)
Regional, Town and Country Planning Act (Chapter 29:12)
Estate Agent Act (Chapter 27:17)
Deeds Registry Act (Chapter 20:05)

Examiner's Name: P. NDHLOVU

INSTRUCTIONS

- 1. Answer any three (3) questions from section A. Section B is compulsory.*
- 2. Each question carries 25 marks*

MARK ALLOCATION

QUESTION	MARKS (ANY SELECTED FOUR)
1.	25
2.	25
3.	25
4.	25
5	25
6	25
TOTAL	100

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SECTION A

Question 1

- a) By using examples, outline the three (3) ways in which private individuals may acquire land from the government. (12)
- b) Briefly identify any four ways of acquiring private property. (13)

[25]

Question 2

- a) 'Property development in Zimbabwe is marred by shoddy dealings perpetrated by unscrupulous property developers reckoning it a risky environment to venture into.' Using relevant cases and examples, to what extent has this impacted on the development of real property in Zimbabwe? [25]

Question 3

- a) Using relevant sections of the Estate Agents Act, examine the roles played by Estate Agents in the disposal of immovable property in Zimbabwe.(15)
- b) 'In Zimbabwe, immovable property is required to be registered and only the conveyancer is mandated to prepare a Deed of Transfer in terms of the Deeds Registry Act (Chap. 20:05).'

 - i. What is a Deed of Transfer? (3)
 - ii. Outline other duties played by Conveyancers in enabling transfer of immovable property.(7)

[25]

Question 4

- a) Explain the normal procedure of acquiring real property in Zimbabwe.(15)
- b) To what extent is the notion, 'Compensation shall be assessed in terms of subsection (1) of the Land Acquisition Act (Chap. 20:10) so as to arrive at compensation that is fair and reasonable,' valid in line to compensations made to compulsorily acquired property by the Zimbabwean government. (10)

[25]

Question 5

- a) Using cases and examples between Environmental Management Agency (EMA) and property developers or managers, to what extent is the Environmental Management Act

(Chap 20:27) effective in minimizing environmental ills and ensuring sustainable development? (15)

- b) Discuss any two development control tools used by Local Authorities in promoting harmonious property development.(10)

[25]

SECTION B

Question 6

- a) 'The real estate industry is heavily regulated by the government in Zimbabwe such that landlords might end up not realizing the true worth of their properties.' Discuss the assertion citing the impact of rent freeze on all residential rentals in 2007 by the Rent Regulations (2007) S.I 32. (16)
- b) How are the taxes, rates and commissions calculated to determine the amounts that are due to Estate Agents, ZIMRA and conveyancer during property disposal? (9)

[25]