



**NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY**

**FACULTY OF THE BUILT ENVIRONMENT**

**DEPARTMENT OF LANDSCAPE ARCHITECTURE AND URBAN DESIGN**

**PROPERTY LAW 11**

**BLP 2202**

**Supplementary Paper**

**December 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 Agents Act (Chapter 27:17)  
Deeds Registry Act (Chapter 20:05)

**Examiner's Name: P. Ndhlovu**

**INSTRUCTIONS**

- 1. Answer Any Three (3) questions in Section A and Section B is Compulsory.*
- 2. Each question carries 25 marks*

**MARK ALLOCATION**

<b>QUESTION</b>	<b>MARKS</b>
1.	25
2.	25
3.	25
4.	25
5	25
6	25
<b>TOTAL</b>	<b>100</b>

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## SECTION A

### Question 1

- a) 'The compulsory land acquisition undertaken by the Zimbabwean government during the Fast Track Land Distribution lacks fairness, justice and order thereby impacting on the real property industry.' Discuss [25]

### Question 2

- a) Critically examine the stages followed by property developers when applying for a development permit according to the Regional Town and Country Planning Act (Chapter 29:12 Section 26) highlighting their impact on the success of the real property industry in Zimbabwe.

[25]

### Question 3

Explain the following legal terms as they are used in the real property industry.

- i. Capital Gains Tax (5)
- ii. Power of Attorney (5)
- iii. Lease (5)
- iv. Outright sale (5)
- v. Lease with option to purchase (5)

[25]

### Question 4

Discuss the roles played by any five (5) actors that are critical in the management of property in Zimbabwe. [25]

### Question 5

- a) Using various sections in the Deeds Registry Act (Chap. 20:05), explain why it is regarded as the principal act in the disposal of immovable property. (15)
- b) Identify other relevant acts used in conjunction with the Deeds highlighting their relevant provisions. (10)

[25]

## **SECTION B**

### **Question 6**

- a) Outline the roles played by the Estate Agents Council in facilitating proper management of real estate. (12)
- b) 'The rapid increase in unscrupulous real property developers can be attributed to flaws in the Zimbabwean property development legal system'. Using examples and cases, comment on the validity this notion. (13)

**[25]**