



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A MAIN EXAMINATION

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AUGUST – DECEMBER 2018 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

SPECIAL / SUPPLEMENTARY EXAMINATION

CLS 304: LAND LAW II

Date: DECEMBER 2018

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

- Q1. a) Explain the meaning of the term lease as applied in Land Law and examine the nature and character thereof. **(5 marks)**
- b) Discuss the salient features of a valid lease and examine how the courts have approached the question of determining whether or not any of the said features exists in a particular lease hold grant. **(5 marks)**
- c) What are the implied rights and obligations of the parties to a leasehold agreement as provided for under the Land Act, No. 6 of 2012? **(10 marks)**
- Q2. A charge had an effect as a security only and shall not operate as a transfer of any interest in the land from the chargor to the chargee, but the chargee shall have, all the power and remedies in case of default by the chargor and be subject to all the obligations that would be conferred or implied in a transfer of an interest in land subject to redemption. Discuss the remedies available to both the chargor or chargee in case either of the parties does not meet their obligation in a charge instrument. **(20 marks)**
- Q3. a) Analyze the provisions of the law in relation to compensation on compulsory acquisition of public land. **(10 marks)**
- b) Distinguish between the various types of leases as provided in the Land Act 2012. **(10 marks)**

- Q4. Explain the implied covenants in a charge instrument on the part of the charge. **(20 marks)**
- Q5. Write short notes on the following in relation to leases:
- a) Surrender **(10 marks)**
 - b) Forfeiture **(10 marks)**

END