



**SECOND YEAR EXAMINATION FOR THE AWARD OF THE  
DIPLOMA IN LAWS  
SECOND SEMESTER, 2022/2023  
(SEPTEMBER-DECEMBER, 2022)**

**DLAW 0214: PROPERTY IN LAND**

**STREAM: Y2 S2**

**TIME: 2 HOURS**

**DAY: TUESDAY, 3:00 – 5:00 P.M.**

**DATE: 06/12/2022**

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**INSTRUCTIONS**

- 1. Do not write anything on this question paper.***
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

**QUESTION ONE**

Article 60 of the Constitution of Kenya provides that land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable in accordance to certain principles. Using case law, discuss the main constitutional land principles in Kenya. (15 marks)

Article 61 of the Constitution goes further to classify land in Kenya into public land, private land and community land. Briefly discuss the characteristics of each of these categories of land. (15 marks)

**QUESTION TWO**

Using relevant case law and statutes, discuss the functions of the National Land Commission in Kenya

(20 marks)

### **QUESTION THREE**

Citing relevant and recent laws, discuss the benefits of land registration and the two main types of land registration in Kenya. (20 marks)

### **QUESTION FOUR**

Discuss the importance of professional undertakings and their role in property law in Kenya.

(20 marks)

### **QUESTION FIVE**

Using case law, describe the roles and responsibilities of the seller's and buyer's advocates when one is purchasing land in Kenya.

(20 marks)