UNIVERSITY OF KWAZULU-NATAL

SCHOOL OF CIVIL ENGINEERING, SURVEYING & CONSTRUCTION

PROPERTY DEVELOPMENT PROGRAMME

PROPERTY LAW (ENPD3PR H2)

EXAMINATION – NOVEMBER 2012

DURATION : 3 HOURS

TOTAL MARKS : 100

INTERNAL EXAMINER : MR YN GOVENDE
EXTERNAL EXAMINER : MRS TP MAPIPA-NDLOVU

INSTRUCTIONS AND NOTES

1. ANSWER ALL QUESTIONS

2. MARKS ARE ALLOCATED TO EACH QUESTION

3. EACH QUESTION TO BE ANSWERED ON A NEW PAGE

4. THIS IS A CLOSED BOOK EXAMINATION

5. THIS EXAMINATION COUNTS 60% TOWARDS THE FINAL MARK FOR THIS MODULE

6. CALCULATORS ARE NOT NECESSARY BUT ARE PERMITTED IF STUDENT WISH TO USE CALCULATORS TO EXPAND ON AN EXPLANATION

7. TOTAL NUMBER OF QUESTIONS : EIGHT (8)
QUESTION 1 (20 Marks)

Does ownership of immovable property bestow upon the owner the unfettered right to deal with the property as he/she wishes? Discuss in detail.

QUESTION 2 (12 Marks)

Discuss in detail compensation for improvements made to immovable property by a:

2.1 lawful occupier
2.2 occupier in good faith
2.3 occupier in bad faith

QUESTION 3 (16 Marks)

Explain the following concepts:

3.1 Freehold Title
3.2 Sectional Title
3.3 Shareblock Schemes
3.4 Group Housing

QUESTION 4 (5 Marks)

Explain what you understand by the "landlord's tacit hypothec"

QUESTION 5 (10 Marks)

Discuss the advantages of the introduction of Sectional Titles Schemes in South Africa.

QUESTION 6 (10 Marks)

S25(3) of the constitution of South Africa mentions five factors that must be taken cognizance of in determining compensation. Discuss.

QUESTION 7 (15 Marks)

Discuss the Aims and Objectives of the Deeds Registries Act 47 of 1937. In terms of the Deeds Registries Act what transactions may be registered in the Deeds Office?

QUESTION 8 (12 Marks)

List the aims and objectives of the Municipal Property Rating Act 6 of 2004.

END OF PAPER