



GWANDA STATE UNIVERSITY

FACULTY OF ENGINEERING AND ENVIRONMENT

DEPARTMENT OF GEOMATICS AND SURVEYING

LAND LAW

ESG 3110

Final Examination Paper

This examination paper consists of 4 pages

Time Allowed: 3 hours

Total Marks: 100

Examiner's Name: Dr. N. Muleya

INSTRUCTIONS

Answer ALL questions in chronological order

QUESTION 1: INTRODUCTION TO LAW [20]				
	a	Highlight the significance of the following terms in land law:		
		i) <i>Res publicae</i>	2	
		ii) <i>Obita dictum</i>	2	
		iii) <i>Stare decisis</i>	2	
		iii) <i>Locus standi</i>	2	
	b	Examine the various sources of Zimbabwean law highlighting their strengths and weaknesses	10	
QUESTION 2: PROPERTY LAW [20]				
	a	Discuss the dimensions of property ownership	4	
	b	i	Using practical examples, describe the major causes of land disputes in Zimbabwe	8
		ii	How can such land disputes be avoided and/or handled in case they happen?	8
QUESTION 3: THE ACQUISITION AND DISPOSAL OF LAND [20]				
	a	Distinguish between original ownership and derivative ownership of land	4	
	b	Describe the procedures followed in the acquisition of land in Zimbabwe. Support your discussion with relevant legislation.	8	
	c	Discuss the circumstances leading to land ownership termination	8	
QUESTION 4: LEGISLATION RELATING TO LAND LAW IN ZIMBABWE [20]				
		Select any two Acts of Parliament of your choice and interpret how they govern the management and use of land in Zimbabwe.	20	
QUESTION 5: LAND TENURE SYSTEMS IN ZIMBABWE AND BEYOND [20]				
		‘The Constitutional Court heard an application filed by the Zimbabwe Lawyers for Human Rights (ZLHR) on behalf of some Chilonga Villagers who are challenging the barring of rural dwellers from owning land in rural areas...barring rural dwellers from having title to their land is a racist practice.... there is need for a new communal land tenure in Zimbabwe...’ (Herald, 17 May 2022).		
	a)	To what extent is the Zimbabwe Lawyers for Human Rights (ZLHR) position on communal land tenure justified? With aid of relevant pieces of legislation, support your argument	10	
	b)	Compare the urban land tenure system and the communal land tenure system in Zimbabwe.	10	

END OF EXAMINATION