



**Uganda Martyrs University**

**Faculty of Law**

---

**Land Law 2: Land Transactions**

**Final Exam**

**Bachelor of Laws (LLB2)**

**21<sup>st</sup> July 2022**

---

**\*\* Read these instructions carefully. Perhaps, more than once. \*\***

**Instructions:**

1. This is an **OPEN BOOK** examination. The use of course materials and other research materials in hard copy to comprehensively answer the examination questions is permitted.
2. The answers you submit **must** be written entirely by you with no resemblance in logic or prose to any other submitted or existing work. Specifically, you are not to copy a colleague's work, write responses under dictation, plagiarise any other works, or contract out the undertaking of this examination.
3. Failure, neglect or refusal to comply with Instruction no. 2, **shall** lead to your disqualification from this assessment and further disciplinary action in accordance with university rules.
4. You are to answer **ALL FOUR** questions.

## QUESTIONS:

1. "In the primal creation of land rights two controversial approaches appear identical. Any dissimilarities between conqueror and settler often turn on the relative legitimacy of the imposing claim. While the settler's claim may ripen into possessory title within the bounds of statute and is thus anticipated, the conqueror must ensure the acquiescence of the indigene through overwhelming and persistent duress that will over time perhaps yield a customary or conventional form of tenure."

Critically and authoritatively discuss the above statement.

[ 25 marks ]

2. "The cadastral record represents more than just the quantifiable fiscal relationships between the government's revenue collection mandate, the people upon which it is imposed, and the fixed factor of production they own – the land. It is a complex series of data points that illustrates the legal relationships that affects their interests in land and may be considered a critical resource for determining the fiscal, spatial, and juridical limits of land ownership for the purposes of conveyancing."

Critically discuss the above opinion.

[ 25 marks ]

3. Authoritatively discuss the Constitutional and Statutory justifications for land acquisition and explain the careful balancing of the relevant rights and interests through written law, public policy, administrative actions and, occasionally, adjudication.

[ 25 marks ]

4. "Where a usufruct and an easement are apparent, one must often consider whether any proprietary interests are embedded in the original grant. For instance, when a new land owner of the servient tenement cancels an easement such as the path leading to the site of the usufruct, the cancellation may affect both a proprietary and non-proprietary interest. The latter being an interest in which only the owner of the servient tenement has a duty correlative to the usufructuary rights to *profits a prendre*."

Examine the above statement and critically discuss the opinion advanced.

[ 25 marks ]

---

THE END

\*\*\*