LAW 3109 Elements of Property Law

Hours Per Week			Hours per Semester	Weighted Total Mark	Weighted Exam Mark	Weighted Continuous Assessment	Credit Units
LH	PH	TH	CH	WTM	WEM	WCM	CU
3	0	3	45	100	60	40	3

Course description

The Foundation of Land Law Course module explores the origins of Uganda's present day land tenure system. It looks into an appreciation of the concepts of Land tenure and how the various interests in Land came about. Albeit the fact that Uganda's tenure system is unique in itself, there are outstanding similarities with other jurisdictions and these are also studied within this module.

Objective(s)

- **To provide the student with a thorough understanding of how the tenure systems in Uganda have evolved over time.**
- **To understand the concept of Real Property and the various interests that fall therein.**
- **To create an appreciation of the present day upheavals over land both in and outside the judicial system;**

Course contents

1. THE REPEALED (Expressly or Impliedly) LAND-RELATED LAWS AND

RULES

2. THE MAIN/PRESENTLY APPLICABLE LAW

3. REAL PROPERTY CONCEPTS

- **Objects of learning the Law of Real Property.**
- **Meaning of Real Property/nature of Proprietary Rights.**
- **Functions of the Law of Property.**

- **Key Principles Underlying English Land Law.**

4. **MEANING OF LAND**

- **Rights Below the Surface of Land**
- **Rights Above the Surface**

5. **FIXTURES**

6. **THE DOCTRINE OF TENURE AND ESTATES**

- **Customary System of Land Holding**
- **The Mailo System of tenure**
- **The Freehold System of land Holding:**
- **The Leasehold System of Land Holding**

7. **LAND TENURE AND POLICY UNDER THE LAND ACT, 1998. [5 CH]**

- **Specific objectives of the Act**
- **Land ownership generally and tenure systems;**
- **Relationship between lawful or Bonafide occupants and the registered owner of the land;**
- **Land management institutions;**

[5 CH] [5 CH] [5 CH]

[5 CH]

[5 CH] [5 CH]

- **Land dispute resolution institutions;**

• Ensuring land rights security for the poor:-

8. **CO-OWNERSHIP: [5 CH]**

- **Joint tenancy**
- **Tenancy in common**

9. **LAND TENURE AND URBAN DEVELOPMENT [5 CH]**

Learning outcomes.

Ultimately the student will have a sound intellectual basis for demonstrating an understanding of land conveyance and how land transactions, interests and disputes can be handled with properties falling in different parts of the country. Method of delivery.

The course will be conducted through a mixture of lectures, group discussions and reading assignments. Basic lecture materials and data will be provided by the Lecturer and this will be supplemented by individual reading effort by students.

Method of assessment.

Assessment will be done through continuous coursework and final written examination. Continuous assessment will include assignments and classroom tests. A final examination will be offered at the end of each semester and will carry 60% of the total mark. Coursework will carry a total of 40% and will be divided into: assignments 20%, and written tests 20%.

Reference books and materials.

1. **Curzon LB (1999), Land Law (7th Edn), Pearson Education, London**
2. **Williams G. 1973. *Learning The Law.* Stevens and Sons, London**
3. **Frank, W.F. 1971. *English Law***
4. **Sawyer G. and Hiller J. 1971. *The Doctrine of Precedent in the Court of appeal for East Africa.* Tanzania Publishing House, Dar Es Salaam**

Land regulations in Uganda: Constitution, Land Act, etc