



UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER I
SESSION 2016/2017**

TERBUKA

COURSE NAME : REAL ESTATE LAW II
COURSE CODE : BPE 20603
PROGRAMME CODE : BPD
EXAMINATION DATE : DECEMBER 2016 / JANUARY 2017
DURATION : 3 HOURS
INSTRUCTION : ANSWER ALL QUESTIONS

THIS QUESTION PAPER CONSISTS OF **THREE (3)** PAGES

Q1 Ahmad a landowner has charged his 1 acre land and building to General Bank, and leased a part of it to Anwar who is now earning money from tenancy contract with Mahmud. Ahmad recently ran into financial difficulties and intended to sell his land to Alfa Sdn. Bhd. for a sum that he think can solve all his problems. Ahmad is your client. He is asking you to complete the sale and transfer the land to the purchaser.

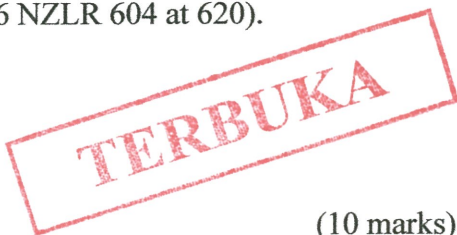
Explain,

- (a) The possibility for the landowner to transfer the land. (8 marks)
- (b) The need for obtaining the consent of other parties before the transfer takes place. (12 marks)

Q2 “Register is everything” (Fels v Knowles (1906) 26 NZLR 604 at 620).

Explain the above statement in the context of

- (a) The effect of registration of land dealings. (10 marks)
- (b) The statutory exceptions to the effect of registration (10 marks)



Q3 The Management Corporation under the Strata Management Act 2013 has certain powers and duties that have to be followed by all parties.

Explain:

- (a) Whether strata buildings can be managed exclusively by property professionals. (5 marks)
- (b) The function of management committee. (5 marks)
- (c) Two of the most fundamental duties of the residents (5 marks)
- (d) Two main powers of the Management Corporation

(5 marks)

Q4 A piece of alienated land can be taken back by State under section 3 of Land Acquisition Act 1960.

(a) State the effect of the Federal Constitution on the land acquisition process.
(10 marks)

(b) State the role of section 4 and section 8 of the Land Acquisition Act 1960 in relation to the time based on which the market value of land can be determined.
(10 marks)

Q5 Briefly describe on the following terms;

(a) Severance
(5 marks)

(b) Injurious affection
(5 marks)

(c) Solatium
(5 marks)

(d) Acquiring stratum
(5 marks)

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END OF QUESTIONS -