



**KENYA SCHOOL OF LAW  
PARALEGAL TRAINING PROGRAMME  
(Academic Year 2022-2023)  
YEAR ONE – TERM 2**

**PTP 105: CONVEYANCING**

**COURSE INSTRUCTOR**

Ms. Elizabeth Mulwa  
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**INSTRUCTION HOURS:**

Monday

**CONSULTATION:**

On Appointment

**INTRODUCTION**

This Course is aimed at introducing the students to practical application of Land Law as contained in conveyancing law and practice. The Course will build on the principles and theories introduced in Land law and take the students through an examination of a conventional land sale transaction from the preliminary stage until registration is completed.

**Purpose of the Course**

Introduce the Students to the history and theory of Conveyancing Law as well as introduce the practical aspects of a conventional conveyancing transaction.

**Expected Learning Outcomes:**

**By the end of the course the students should be able to: -**

- 1) Understand and explain the history and principles of conveyancing
- 2) Highlight the pre-contract process of conventional conveyancing transactions highlighting the various steps undertaken by each party and the various completion documents required by the parties.
- 3) Explain the requirements of the contract making stage of a conveyancing transaction, and draft a simple land sale agreement

- 4) Describe the duties of the advocates within the pre-contract stage, contract stage and registration stage
- 5) Explain the registration process of a simple transfer and draft the appropriate transfer forms.
- 6) Highlight other forms of conveyancing transactions.
- 7) Describe the quasi remedies available in case of a breach of a conveyancing transaction.

**Prerequisite:** None

**Contact hours:** 30

### **Course Assessment**

Continuous Assessment Test 30%

Class Test: 15%

Group Work/Take Home: 15%

Written examinations 70%

### **Core Reading Materials**

1. Land Law and Conveyancing in Kenya by P.L.Onalo
2. Lecture Notes

### **Recommended Reference Materials**

1. Ministry of Lands website; <https://lands.go.ke/>
2. Land Act 2012
3. Land Registration Act 2012
4. Law Society Conditions of Sale 2015

### **COURSE CONTENT**

1. Introduction to Conveyancing
  - a. Definition and scope
  - b. Relationship to other branches
  - c. History of conveyancing
2. Formalities of disposition of land
  - a. Formality of writing and registration
  - b. Effect of Registration
  - c. Process of Registration
3. Pre contract period and investigation of Title
  - a. Other professionals in Conveyancing
  - b. Investigation of Title; searches, inquiries and requisitions

4. Preliminaries of Registration
  - a. Execution, attestation and verification
  - b. Power of Attorney
  - c. Stamp duty and other clearances
  
5. Contracts for sale of land
  - a. Nature and enforceability
  - b. Parts and Terms of contract
  - c. Model Sale agreements
  
6. Duties of an advocates
  - a. Duties of advocates in conveyancing
  - b. Competing interests
  - c. Professional undertakings
  - d. Completion
  
7. Transfers
  - a. Transfers under RLA,RTA, GLA/LTA
  - b. Parts of a conveyances
  - c. Involuntary Transfers
  
8. Other forms of Land disposition
  - a. Auctions, Purchase of Flats, Subleases vs Sectional Properties, Land Settlement Schemes
  
9. Remedies in Conveyancing
  - a. Remedies in Conveyancing
  - b. Interests affecting dispositions

Approved by:

Mr. Mark Mukuha  
Co-ordinator, PTP

Sign: 

Date: 17/01/2023

Approved by:

Dr. Henry K. Mutai  
Director/CEO

Sign: 

Date: 19/1/23

