



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester II, 2021/2022 Academic Session

Final Examination Question Paper

Course Code : LB3302
Course Name : Land Law II
Course Level : Bachelor's Degree
Time : 3 hours

Reference allowed:

Land Code (Cap 40), Town and Country Planning Order 2015, Building Control Order 2014, Architects, Professional Engineers and Quantity Surveyors Order 2011 and Islamic Family Law (Cap 217).

Notes:

1. Answer any **four** of the following questions.
2. All answers, wherever relevant, must be supported by statutory provisions and case law.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 Marks)

Explain briefly, the concepts below in relation to property and land laws and give examples to illustrate your understanding of these concepts in Islamic Property Law. (5 marks each)

- a. *Thya* and *tahjir*
- b. Classification of land in Islam
- c. *Hibah*

QUESTION 2 (15 Marks)

Explain with examples the types of rights and ownership of land / property under Islamic property law.

QUESTION 3 (15 Marks)

What are the differences between the concept of *Iqta' Istighlal*, *Iqta' Tamlik* and *Iqta' Irfaq*? How are these concepts similar or different from the concept of disposal of land under Land Code Cap 40 Laws of Brunei?

QUESTION 4 (15 Marks)

What are the conditions when someone wants to endow or *waqaf* his property? What are the procedures to *waqaf* property for specific or general use in Brunei Darussalam?

QUESTION 5 (15 Marks)

What is the significance of the Robert's Rule in the concept of *harta sepencarian*?
How is the division of shares of *harta sepencarian* determined in Brunei Darussalam?

QUESTION 6 (15 Marks)

You owned a piece of vacant land that you wished to build a house for your family to live in. What are the laws and regulations that you need to comply in order for you to start your project right up until its completion? Name and describe **at least 3 (three)** statutes / regulations before development on land can be carried out in Brunei Darussalam.

بالتوفيق والنجاح