Training course on Conveyancing Law and Practice

Professional Development Training Course Outline

Category	Real Estate Institute	**Duration**	10 Days
Base Fee	$3,000 USD	**Delivery Mode**	Online / On-site Hybrid

Course Introduction

In Kenya's dynamic and high-value real estate market, a meticulous command of Conveyancing Law and Practice is not merely a legal requirement, but the absolute cornerstone for ensuring secure, transparent, and efficient property transactions. Training Course on Conveyancing Law and Practice (Advanced) is meticulously designed to equip with the cutting-edge legal insights and strategic. Beyond standard procedures, this specialized discipline demands a forensic and pragmatic approach, blending in-depth knowledge of the Land Registration Act, Land Act, and Stamp Duty Act, judicial precedents, and advanced due diligence techniques, and the leveraging of meticulous drafting and strategic risk assessment to prevent fraud, resolve intricate title issues, and significantly safeguard client investments and transactional integrity. This comprehensive 10-day program delves into nuanced methodologies for analyzing various stages of a conveyancing transaction unique to Kenya (e.g., preliminary inquiries, contracts, completion, registration), mastering advanced techniques for conducting comprehensive legal due diligence and perfecting titles, and exploring cutting-edge approaches to managing complex land subdivisions, sectional properties, charges, and dealing with various land tenure systems. A significant focus will be placed on understanding the interplay of constitutional provisions, specific conveyancing legislation, taxation laws, and the role of various land institutions (e.g., Land Registries, NLC) across diverse property types, managing high-stakes conveyancing challenges with unparalleled confidence, and optimizing legal processes through proactive compliance and strategic legal counsel. By integrating local industry best practices, analyzing real-world complex conveyancing cases and landmark judgments in Kenya, and engaging in intensive hands-on contract drafting exercises, mock due diligence reviews, land registry simulations, and expert-led discussions, attendees will develop the strategic acumen to confidently handle any conveyancing challenge, fostering unparalleled legal protection, transactional efficiency, and securing their position as indispensable leaders in modern Kenyan property law and practice.

Programme Curriculum

Training Course on Conveyancing Law and Practice (Advanced)

Introduction:

In Kenya's **dynamic and high-value real estate market**, a meticulous command of **Conveyancing Law and Practice** is not merely a legal requirement, but the absolute cornerstone for ensuring secure, transparent, and efficient property transactions. Training Course on Conveyancing Law and Practice (Advanced) is meticulously designed to equip with the cutting-edge legal insights and strategic. Beyond standard procedures, this specialized discipline demands a **forensic and pragmatic approach**, blending **in-depth knowledge of the Land Registration Act, Land Act, and Stamp Duty Act, judicial precedents, and advanced due diligence techniques**, and the leveraging of **meticulous drafting and strategic risk assessment** to prevent fraud, resolve intricate title issues, and significantly **safeguard client investments and transactional integrity**.

This comprehensive 10-day program delves into **nuanced methodologies** for **analyzing various stages of a conveyancing transaction unique to Kenya (e.g., preliminary inquiries, contracts, completion, registration),** mastering **advanced techniques for conducting comprehensive legal due diligence and perfecting titles**, and exploring **cutting-edge approaches** to **managing complex land subdivisions, sectional properties, charges, and dealing with various land tenure systems**. A significant focus will be placed on understanding the interplay of **constitutional provisions, specific conveyancing legislation, taxation laws, and the role of various land institutions (e.g., Land Registries, NLC)** across diverse property types, managing **high-stakes conveyancing challenges with unparalleled confidence**, and **optimizing legal processes** through **proactive compliance and strategic legal counsel**. By integrating **local industry best practices**, analyzing **real-world complex conveyancing cases and landmark judgments in Kenya**, and engaging in intensive hands-on **contract drafting exercises, mock due diligence reviews, land registry simulations, and expert-led discussions**, attendees will develop the **strategic acumen** to confidently handle any conveyancing challenge, fostering unparalleled **legal protection, transactional efficiency**, and securing their position as indispensable leaders in **modern Kenyan property law and practice.**

Course Objectives:

Upon completion of this course, participants will be able to:

1. **Analyze core principles and strategic responsibilities** of **advanced conveyancing law and practice in Kenya**.
2. **Master sophisticated techniques** for **interpreting and applying key Kenyan conveyancing statutes** (e.g., Land Registration Act, Land Act).
3. **Develop nuanced strategies** for **conducting comprehensive legal due diligence and property verification in Kenya**.
4. **Implement effective legal frameworks** for **various stages of a conveyancing transaction** from offer to registration.
5. **Manage complex property transfers** including **freehold, leasehold, and sectional property interests** .
6. **Apply robust strategies** for **drafting and negotiating sound conveyancing instruments** (e.g., agreements for sale, transfers, leases, charges).
7. **Understand the deep integration of taxation laws** (e.g., Stamp Duty, Capital Gains Tax) into **conveyancing practice in Kenya**.
8. **Leverage knowledge of land administration processes** for **efficient property registration and record-keeping**.
9. **Optimize strategies for addressing common challenges** such as **fraud, spousal consent, and succession issues** in conveyancing.

10. **Formulate specialized conveyancing solutions** for **diverse property types (residential, commercial, agricultural) and transaction structures**.
11. **Conduct advanced risk assessment and mitigation planning** related to **conveyancing liabilities and disputes**.
12. **Navigate challenging situations** such as **lost titles, missing documents, boundary disputes, and court orders affecting property**.
13. **Develop a holistic, ethically sound, and legally robust strategic approach** to **conveyancing practice and property security in Kenya**.

Target Audience:

This course is designed for professionals seeking advanced skills in Conveyancing Law and Practice in Kenya:

1. **Real Estate Lawyers and Advocates in Kenya:** Specializing in property law and conveyancing.
2. **Paralegals and Legal Assistants in Real Estate Departments:** Seeking to deepen their practical conveyancing skills.
3. **Property Developers and Investors in Kenya:** Managing property acquisitions, subdivisions, and sales.
4. **Land Economists and Valuers in Kenya:** Requiring detailed understanding of legal interests in land.
5. **Senior Real Estate Agents and Brokers in Kenya:** Advising clients on the conveyancing process and potential pitfalls.
6. **Bankers and Financial Institutions in Kenya:** Lending against property and perfecting securities.
7. **Government Officials (Land Registries, County Governments) in Kenya:** Involved in land registration and transfer processes.
8. **Surveyors and Physical Planners in Kenya:** Interacting with legal aspects of land subdivision and amalgamation.

Course Duration: 10 Days

Course Modules:

- **Module 1: Foundations of Kenyan Conveyancing Law**
  - Definition and **scope of conveyancing** in Kenya.
  - **Legal framework**: Land Act, 2012, Land Registration Act, 2012, Sectional Properties Act, 2020.
  - **Constitutional provisions** impacting land and conveyancing.
  - The **role of various actors** in conveyancing: advocates, registrars, surveyors, valuers.
  - Ethical duties and professional conduct for **conveyancers in Kenya**.
- **Module 2: The Conveyancing Process - Stages & Preliminary Matters**
  - Overview of the **stages of a typical conveyancing transaction** in Kenya.
  - **Pre-contractual inquiries**: due diligence checklists.
  - **Letters of Offer** and their legal implications.
  - Understanding **fixture and fittings**, and their treatment in a sale.
  - **Case Study:** Analyzing a preliminary inquiry form for a complex property sale.
- **Module 3: Agreements for Sale & Contractual Drafting**
  - Essential **elements of a valid agreement for sale of land** in Kenya.
  - Drafting **standard and specialized clauses**: conditions precedent, warranties, indemnities.
  - Negotiating **terms and conditions** in an agreement for sale.
  - Remedies for **breach of an agreement for sale**.
  - **Case Study:** Drafting an agreement for sale for a property with specific restrictive covenants.
- **Module 4: Advanced Legal Due Diligence in Conveyancing**
  - Comprehensive **official searches and title investigations** at land registries.

    - Reviewing **physical planning documents, survey plans, and zoning regulations**.
    - Verifying **payment of land rates and rents**.
    - Identifying and addressing **encumbrances, cautions, prohibitions, and court orders** affecting title.
    - **Case Study:** Conducting a mock legal due diligence on a property with a complex title history.
- **Module 5: Transfers, Charges & Leases (Drafting & Registration)**
    - Legal requirements for **drafting and executing valid Transfers of Land**.
    - Creating and perfecting **Charges (Mortgages)** over land.
    - Drafting and registering **Leases and Sub-leases** for different terms.
    - Understanding **easements, restrictive covenants, and profits à prendre** in conveyancing.
    - **Case Study:** Drafting a Transfer of Leasehold Interest for a commercial property.
- **Module 6: Sectional Properties & Apartments Conveyancing**
    - Introduction to the **Sectional Properties Act, 2020**: conversion of long-term leases.
    - Understanding **common property, units, and shared facilities** in sectional properties.
    - Conveyancing procedures for **buying and selling apartments/units** under the Act.
    - Management companies and **service charge provisions**.
    - **Case Study:** Analyzing the legal aspects of converting a block of flats to sectional titles.
- **Module 7: Subdivisions, Amalgamations & Changes of Use**
    - Legal and procedural requirements for **subdivision of land**.
    - Amalgamation of **two or more land parcels**.
    - Obtaining **consent for change of user and extension of user**.
    - The role of **surveyors and physical planners** in these processes.
    - **Case Study:** Guiding through the legal steps for a large-scale land subdivision project.
- **Module 8: Taxation in Conveyancing**
    - Understanding **Stamp Duty Act (Cap 480)**: calculation, assessment, and payment of stamp duty.
    - Capital Gains Tax (CGT) implications in **property transfers**.
    - Value Added Tax (VAT) on **real estate services and property sales**.
    - Withholding tax on **rental income and professional fees**.
    - **Case Study:** Calculating stamp duty and CGT for a complex property transaction.
- **Module 9: Challenges & Pitfalls in Conveyancing**
    - Dealing with **fraudulent transactions and forged documents**.
    - Addressing issues of **lost titles, missing documents, and succession disputes**.
    - Managing **caveats, cautions, and inhibitions** on title.
    - The impact of **court orders and injunctions** on conveyancing.
    - **Case Study:** Analyzing a real-world conveyancing fraud case and identifying prevention strategies.
- **Module 10: Perfection of Securities & Real Estate Finance**
    - Legal requirements for **perfecting charges and mortgages** over land.
    - Understanding **debentures and other forms of security** over real estate.
    - The process of **discharge of charge and reconveyance**.
    - Legal implications of **foreclosure and statutory power of sale**.
    - **Case Study:** Drafting a discharge of charge for a fully paid-off property.
- **Module 11: Dispute Resolution in Conveyancing Matters**
    - Common **conveyancing disputes**: breach of contract, specific performance, title disputes.
    - The role of the **Environment and Land Court (ELC)** in conveyancing disputes.
    - Alternative Dispute Resolution (ADR): **mediation and arbitration** in conveyancing.
    - Strategies for **preventing and resolving disputes** amicably.
    - **Case Study:** Analyzing a landmark judgment from the ELC concerning a specific performance claim in a land sale.

- **Module 12: Emerging Trends & Future of Conveyancing in Kenya**
  - Impact of **digitization of land records and e-conveyancing** initiatives.
  - The role of **National Land Information System (NLIS)**.
  - Blockchain technology and **smart contracts** in future conveyancing.
  - Challenges and opportunities presented by **land reforms and policy changes**.
  - **Case Study:** Discussing the practical implications and benefits of fully digitized land records for conveyancing in Kenya.

Training Methodology

- **Interactive Workshops:** Facilitated discussions, group exercises, and problem-solving activities.
- **Case Studies:** Real-world examples to illustrate successful community-based surveillance practices.
- **Role-Playing and Simulations:** Practice engaging communities in surveillance activities.
- **Expert Presentations:** Insights from experienced public health professionals and community leaders.
- **Group Projects:**Upcoming Scheduled Sessions

Start Date	End Date	Location	Price
23 Nov 2026	04 Dec 2026	Online	$2,000
23 Nov 2026	04 Dec 2026	Physical	$3,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$6,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$9,000
23 Nov 2026	04 Dec 2026	Physical	$12,000
23 Nov 2026	04 Dec 2026	Physical	$12,000

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