

PCLL Conversion Examination
January 2024 Examiner's Comments
Hong Kong Land Law

The questions set were all problem-based which covered a wide range of Land Law topics and required candidates to demonstrate a sound knowledge of various Hong Kong-specific statutory provisions and decided cases and apply them to the facts given. Some candidates did very well and achieved high marks. For those who did not, their common mistakes include the following:

- (1) Failure to pay sufficient attention to the facts given

Candidates must read all questions very carefully as most words were there for a reason. For instance, if the respective ages of co-owners have already been supplied in the question, it is incorrect to state in the answer that the information about their ages is missing.

- (2) Failure to cite relevant statutory provisions and/or decided cases

When answering the questions, candidates should advise the parties concerned with reference to the relevant law and decided cases and cite their sources. It is incorrect for candidates just to express their own views on various issues without providing any authority in support. For instance, if a candidate writes that the younger of two joint tenants is presumed to have survived the older where they have died in circumstances in which the order of their deaths is unknown, the candidate is expected to give reasons and cite the relevant law and/or decided cases.

- (3) Poor or Total Lack of Knowledge of basic Land Law principles

Some answer scripts gave the impression that the candidates concerned did not seem to know much about basic Land Law principles, let alone Hong Kong-specific ones. As a result, quite a few answers submitted were simply off the point.