



University of the
West of England

BRISTOL

Code: UJUTGQ-30-3

Title: Land Law

Version: 1

Level: 3

UWE credit rating: 30

ECTS credit rating: 15

Module type: Standard

Owning Faculty: FBL

Field: Undergraduate Law

Valid from: September 2010

Faculty Committee Approval: QSC (SSH) **Date:**

Discontinued from:

Contributes towards: LLB (Hons) Irish Law

Pre-requisites: Introduction to the Irish Legal System UJUTGJ-30-1; Criminal Law UJUTGL-30-1; Constitutional Law UJUTGM-30-1; Law of Torts UJUTGK-30-1

Co-requisites: Law of Equity & Trusts UJUTGP-30-3; Contract Law UJUTGN-30-3

Excluded combinations: None

Learning outcomes:

On completion of this module learners will be able to:

1. Distinguish between different forms of Estates (*Assessed in Component A as an essay style question*).
2. Identify and critically discuss the different forms of co-ownership (*Assessed in Component A as either essay/problem style questions*).
3. Apply and debate the principles of proprietary estoppel (*Assessed in Component A and/or Component B as an essay/ problem style question*).
4. Critically assess the impact of legislation on the protection of family property (*Assessed in all Components as either essay or problem questions*).
5. Discuss the principles of Irish Succession Law (*Assessed in both Component A and/or B as either an essay/problem style question or as part of the oral presentation*).
6. Evaluate the nature of the Landlord and Tenant relationship under Irish law (*Assessed in both Component A and/or B as either an essay/problem style question or as part of the oral presentation*).
7. Examine the nature and legal effect of mortgages and other securities (*Assessed in both Component A and/or B as either an essay/problem style question or as part of the oral presentation*).
8. Analyse factual scenarios and apply their understanding of the Land Law to them (*Assessed in both Component A and/or B as either a problem style question or as part of the oral presentation*).

Syllabus outline:

- The Nature of Land Law
 - o Historical Background
 - o Terminology

The Doctrine of Estates:

- Freehold
- Leasehold
- Hybrid Estates

- Settlements of Land
- Future Interests
- Co-Ownership
- Licences & Proprietary Estoppel
- Registered and Unregistered Land
- Rules Against Remoteness incl. Rule Against Perpetuities
- Adverse Possession
- Family Property
 - o The Family Home Protection Act 1976
 - o Presumption of Advancement
 - o The Family Law Act 1995
- Incorporeal Hereditaments
- Mortgages & Securities
- Conveyancing
 - o Pre-Contract Enquiries
 - o The contract for sale (formation and contents)
 - o Title investigation
 - o Remedies
- Landlord & Tenant
- Covenants
- Residential Tenancies
- Succession Law
 - o The Succession Act 1965
 - o Wills
 - o Testamentary Freedom
 - o Intestate Succession

Teaching and learning methods:

The emphasis throughout will be on providing the student the opportunity and facilities to question, understand, analyse and evaluate the law in its historical, practical, academic and social context. The learning context is student-centred and utilizes a variety of techniques to encourage independent thought and constructive criticism. Dialogue is promoted between student and lecturer in an inter-active relationship which emphasizes the two-way flow of information and criticism.

Subject to the requirements of the Professional Bodies, it is not necessarily envisaged that every topic in the syllabus will be covered in any one academic year. Areas which have topical significance could, therefore, be developed at greater length and less important areas delineated in outline only.

Students will be expected to conduct research with both traditional and electronic sources and will be instructed how to do this both during the Programme as a whole and, where necessary, within the module.

Contact hours:

Lectures: 3 hours per week (2 x 1.5 hours).
 Seminars: 1 hour seminar per fortnight.

Student preparation:

Lectures: In most cases there is no expectation of preliminary work. However, students may be given directed preliminary reading from recommended texts. Occasionally material may be also given out in advance so as to provide the basis for practical exercises or for more detailed discussion of topics to be conducted within the lecture.

Guest speakers will be utilised where appropriate.

Seminars: The Programme estimates a preparation time of 10 hours per seminar. At Level 1 much of this time will be taken up with acquiring experience of research and with gaining a familiarisation with legal method. At Level 3, more qualitative research and preparation is expected. Seminar preparation tasks include working individually, in pairs or in small groups.

Students will be given seminar sheets in advance of their seminars which will be centred on the analysis of cases, statutes, European and Human Rights' material as appropriate. The material will usually be problem or discussion title-based. Supplementary material (usually of a problem-solving nature) may be provided in the seminar. At Level 1 students will be given more direction in terms of sources and specific questions to address.

Students are expected to make full use of their independent learning time to reflect critically upon the subject and to develop their own ideas.

Operation and purpose:

Lectures: On most topics covered, outline learning materials will be supplied to students during or in advance of the lectures. Lectures are generally designed to:

- (a) communicate the principal features of a topic, including its major principles, rules, concepts, relationships and values;
- (b) to stimulate interest in the topic and provide alternative views; and
- (c) to provide other information necessary to facilitate its further study, including updating.

Reading Strategy:

Essential reading to accompany the workshops in term 1 will be provided electronically or as printed study packs. Students will be encouraged to read widely using the library catalogue, a variety of bibliographic and full text databases, and Internet resources. Guidance to some key authors and journal titles available through the Library will be given in the course guide and through Moodle (the College's intranet system). It is expected that assignment bibliographies and reference lists will reflect the reading carried out.

Indicative Reading List:

The main textbook that students will be relying upon in this module will be:

DeLondras (2007) *Principles of Irish Land Law*, Clarus Press.

It is envisaged that this textbook will be provided to the student as part of their course fee depending on its currency/availability in each academic year. However, students will be directed towards other reading available from the library and in particular the following titles will be recommended:

Lyll (2000) *Land Law in Ireland*, (2nd ed.), Thomson Roundhall.

Brennan, et al (2007) *Landlord & Tenant Law*, (4th ed.), Oxford University Press.

Wylie (1997) *Irish Land Law*, (3rd ed.), Tottel.

Coughlan (1999) *Property Law*, (2nd ed.). Gill & Macmillan.

Cannon (2001) *Land Law – Nutshells*, Thomson Roundhall.

Pearce & Mee (2000) *Land Law*, (2nd ed.) Thomson Roundhall.

Wylie (2000) *Casebook on Irish Land Law* (2nd ed.), Butterworths.

Wylie (1998) *Landlord & Tenant Law*, (2nd ed.) Butterworths.

Keating (1999) *Probate Law & Practice*, Thomson Roundhall.

Students will also be referred to international journal articles from Westlaw and Lexis/Nexis in addition to the following Irish journals:

Dublin University Law Journal; Irish Jurist; Irish Law Times; Irish Bar Review; The Irish Conveyancer

Assessment

Weighting between components A and B (standard modules only) A: 75% B: 25%

ATTEMPT 1

First Assessment Opportunity

Component A (Final assessment)

Description of each element

1 Examination (3 hours)

Element weighting

100%

Component B

Description of each element

1 Coursework (2,000 words max.)

2 Oral Presentation (15 minutes max.)

Element weighting

80%

20%

Second Assessment Opportunity (further attendance at taught classes is not required)

Component A

Description of each element

1 Examination (3 hours)

Element weighting

100%

Component B

Description of each element

1 Coursework (2,000 words max.)

2 Oral Presentation (15 minutes max.)

Element weighting

80%

20%

EXCEPTIONAL SECOND (OR SUBSEQUENT) ATTEMPT: Attendance at taught classes is not required.

Specification confirmed by

.....**Date**.....

(Associate Dean/Programme Director)