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| Module Title: | Equity and Trusts 1 |
| Language of Instruction: | English |
| Credits: | 10 |
| NFQ Level: | 8 |
| Module Delivered In | 1 programme(s) |
| Teaching & Learning Strategies: | <p>Lectures - communication of knowledge and ideas from the lecturer to the student. Problem Solving Exercises - student will work as part of a team and will work together to resolve various legal scenarios. Class Discussion/Debate - Students will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills. E-Learning - the module will be supported with on-line learning materials. Self-Direct Independent Learning - the emphasis on independent learning will develop a strong and autonomous work and learning practices.</p> |
| Module Aim: | The aim of this module is to provide students with a solid knowledge and developed understanding of the fundamental principles of equity applied in Ireland. |
| Learning Outcomes | |
| <i>On successful completion of this module the learner should be able to:</i> | |
| LO1 | Discuss the origins and historical development of Equity |
| LO2 | Comprehend and explain the principal equitable maxims and doctrines and their application in modern jurisprudence |
| LO3 | Demonstrate a strong knowledge of the principal equitable remedies and the role of judicial discretion and critically evaluate the consequent availability of these remedies in the courts. |
| LO4 | Critically evaluate the law in this area and employ knowledge and critical understanding in solving relevant legal problems. |
| LO5 | Research aspects of the law of equity and trusts either independently or as part of a group and communicate findings and proposals in written and/or verbal form. |
| Pre-requisite learning | |
| Module Recommendations | |
| <i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i> | |
| No recommendations listed | |
| Incompatible Modules | |
| <i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i> | |
| No incompatible modules listed | |
| Co-requisite Modules | |
| No Co-requisite modules listed | |
| Requirements | |
| <i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i> | |
| No requirements listed | |

Module Content & Assessment

| Indicative Content | | | | |
|---|-----------------------------------|-------------------|------------|-----------------|
| Introduction to Equity • Historical Development • Fusion of Law and Equity • Maxims of Equity • Equitable Interests v Mere equities | | | | |
| Equitable Doctrines • Equitable Estoppel • Undue Influence & Unconscionable Transactions. • Priorities and the Doctrine of Notice • Election • Satisfaction • Conversion and Re Conversion • Performance | | | | |
| Equitable Remedies • Injunctions - General principles - Interlocutory Injunctions Applicability and non-applicability of Campus Oil/MSD tests, prohibitory, mandatory. - Perpetual Injunctions - Quia timet - Mareva - Anton Piller • Specific Performance – applicability to particular types of contract, defences. • Rescission – grounds, loss of right, third parties. • Rectification • Tracing | | | | |
| Assessment Breakdown | | | | % |
| End of Module Formal Examination | | | | 100.00% |
| No Continuous Assessment | | | | |
| No Project | | | | |
| No Practical | | | | |
| End of Module Formal Examination | | | | |
| Assessment Type | Assessment Description | Outcome addressed | % of total | Assessment Date |
| Formal Exam | End-of-Semester Final Examination | 1,2,3,4 | 100.00 | End-of-Semester |

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

Module Workload

| Workload: Full Time | | |
|----------------------------|--------------------|--|
| <i>Workload Type</i> | <i>Frequency</i> | <i>Average Weekly Learner Workload</i> |
| Lecture | 12 Weeks per Stage | 3.00 |
| Estimated Learner Hours | 15 Weeks per Stage | 14.27 |
| Total Hours | | 250.00 |

| Workload: Part Time | | |
|----------------------------|------------------|--|
| <i>Workload Type</i> | <i>Frequency</i> | <i>Average Weekly Learner Workload</i> |
| Lecture | Every Week | 1.50 |
| Total Hours | | 1.50 |

Module Delivered In

| Programme Code | Programme | Semester | Delivery |
|----------------|---|----------|-----------|
| CW_HHLAW_B OLD | Honours Bachelor of Laws Degree - LLB | 5 | Mandatory |