

Module Title:	PRINCIPLES OF PROPERTY LAW
Language of Instruction:	English
Credits:	5
NFQ Level:	6
Module Delivered In	No Programmes
Module Aim:	The overall aim of this module is to introduce students to the basic principles of property and succession law applicable in Ireland today which will be of assistance to them in the workplace or in the pursuit of further study options.
Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Distinguish between the different types of land ownership and explain the rights and obligations involved in each case.
LO2	Identify and explain the various rights an individual may have over or acquire in the land of another.
LO3	Distinguish between the different systems of land registration in Ireland and recognise the main features of such.
LO4	Demonstrate working knowledge of the basic principles of testate and intestate succession in Ireland.
LO5	Employ knowledge and understanding in solving relevant problems.
LO6	Research aspects of land and succession law 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

Foundational Concepts (2%)

- The Meaning of Property • Distinction between Ownership and Possession

Types of Ownership (50%)

- Meaning of an Interest in Land • Basic distinction between legal and equitable interests Possessory Interests • Freehold o Fee Simple o Life Estate – effect of Land and Conveyancing Law Reform Act 2009 • Leasehold o Relationship of Landlord and Tenant o Contractual basis of relationship under Deasy's Act 1860 o Distinction between lease and licence o Distinction between leases and tenancies o Meaning of Assignment and subletting o Common covenants (express and implied). o Right to a New Tenancy - Residential and Commercial – Practical Considerations Non-Possessory Interests • Easements o Essential Features of an Easement o Examples of Common Easements • Freehold Covenants. o Enforceability and Discharge under the Land and Conveyancing Law Reform Act 2009 o Schemes of Development – Rules in *Elliston v Reacher*

Co-ownership (5%)

- Basic distinctions between Joint Tenancy and Tenancy in Common

Rights in the Family Home (7%)

- Protection of Non-Ownning Spouse/Civil Partner o Family Home Protection Act 1976 o Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010

Mortgages (8%)

- Nature of a Mortgage • Equity of redemption • Types of Mortgage o Legal o Equitable o Judgment Mortgages

Systems of Land Registration (12%)

- Role of Property Registration Authority - Registration of Deeds and Title Act 2006 • Unregistered Land o Registry of Deeds o The Registration of Deeds (Ireland) Act 1707. o Documents Registerable. o Searches, Priorities, The Doctrine of Notice. o Effect of the Bona Fide Purchaser Defence. • Registered Land o Land Registry o Registration of Title Act 1964 o Classes of Title o Conclusiveness of Register o Overriding interests and the section 72 Declaration

Adverse Possession (6%)

- Meaning of Adverse Possession. • Basic requirements for Adverse Possession. • Statute of Limitations 1957

Succession Law (10%)

- The Succession Act, 1965 (as amended by the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010) • Testate Succession o Wills – requirements for a valid will. o Operation of wills o Construction of wills o Rights of the spouse/civil partner and children • Intestate Succession

Assessment Breakdown	%
Continuous Assessment	50.00%
Project	50.00%

Continuous Assessment				
Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Case Studies	n/a		50.00	n/a
Portfolio	50		0.00	n/a

No Project

No Practical

No End of Module Formal Examination

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	30 Weeks per Stage	1.50
Estimated Learner Hours	30 Weeks per Stage	3.50
Total Hours		150.00

