

<b>Module Title:</b>	Land Law and Succession 1
<b>Language of Instruction:</b>	English
<b>Credits:</b>	5
<b>NFQ Level:</b>	8
<b>Module Delivered In</b>	<a href="#">1 programme(s)</a>
<b>Teaching &amp; Learning Strategies:</b>	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.
<b>Module Aim:</b>	The aim of this module is to introduce students to the historic and contemporary influences on Irish land law and the fundamental principles underpinning different categories of land ownership in Ireland.
<b>Learning Outcomes</b>	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Demonstrate a sound understanding of the origins of land law (including the role of equity) and its continuing impact on the concept of land ownership.
LO2	Distinguish between the different types of land ownership and explain the rights and obligations involved in each case.
LO3	Understand the systems of property registration in Ireland and the importance of these systems to the recognition and enforceability of rights and interests in or over land.
LO4	Critically analyse the law and employ knowledge and understanding in solving relevant problems.
LO5	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.
<b>Pre-requisite learning</b>	
<b>Module Recommendations</b> <i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
<b>Incompatible Modules</b> <i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
<b>Co-requisite Modules</b>	
No Co-requisite modules listed	
<b>Requirements</b> <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 Land Law

• Historical Origins – The Influence of Feudal Tenure • Important terminology • The Meaning of ‘Ownership’ • Distinction between freehold and leasehold ownership

#### Influence of Equity

• Historical Development • The Concept of Equitable Interests and Estates • Evolution of the Use to the Modern Trust - Statute of Uses (Ire) 1634 - S.62 Land and Conveyancing Law Reform Act 2009 • The Doctrine of Notice Trusts of Land - Part IV Land and Conveyancing Law Reform Act 2009

#### Freehold Ownership

• The Fee Simple - Fee simple Absolute - Modified Fees Simple - Validity of Conditionality Attached • The Fee Tail • The Life Estate • Hybrid Estates - Leases for Lives - Fee Farm Grants • Effect of Part 2 Land and Conveyancing Law Reform Act 2009

#### Leasehold Ownership

• Nature of Landlord and Tenant Relationship • Lease/Licence Distinction • Formalities and Equitable Leases • Covenants • Statutory Control of Tenancies - Landlord and Tenant (Amendment) Act 1980 Ss 66,67 – covenants relating to assignment and subletting - Landlord and Tenant (Amendment) Act 1994 Part II – rights to a new tenancy under Business Equity and Improvement Equity - Residential Tenancies Acts 2004 (as amended) – rights and obligations of private landlords and tenants, Residential Tenancies Board.

#### Co-Ownership

• Joint Tenancy - Main features - Creation - Severance - Commorientes • Tenancy in Common - Main Features - Creation • Termination of Co-Ownership

#### Systems of Land Registration

• Property Registration Authority - Registration of Deeds and Title Act 2006 • Unregistered Land - Registry of Deeds - The Registration of Deeds (Ireland) Act 1707. • Registered Land - Land Registry - Registration of Title Act 1964 - Conclusiveness of Register - Overriding interests

### Assessment Breakdown

%

Continuous Assessment

100.00%

### Continuous Assessment

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Examination	In-class assessment comprising a series of short questions and structured problem scenarios.	1,2,3,4	50.00	n/a
Project	Students will be assigned either a hypothetical problem scenario or essay in second half of semester. They will be required to research the issues involved, in accordance with clearly defined instructions and present their findings and proposals.	1,2,3,4,5	50.00	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**

<b>Workload: Full Time</b>		
<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	5.93
Total Hours		125.00

  

<b>Workload: Part Time</b>		
<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	<a href="#">Honours Bachelor of Laws Degree - LLB</a>	3	Mandatory