

Property Law A

Unit Outline - Semester 1 2011

QUT code:	LWB243
Credit points:	12
Prerequisite(s):	LWB137 Contracts B and LWB139 Select Issues in Torts/LWB148 Torts B
Corequisite(s):	Nil.
Antirequisite(s):	LWB236 Real Property A; LWB237 Real Property B; LWB332 Commercial and Personal Property Law
Equivalent(s):	Nil.
Other requisite(s):	Nil.
Assumed knowledge:	Nil.
Date:	Semester 1 2011

Rationale

The concepts of property and rules concerning dealings with property underpin a significant number of modern legal transactions in both domestic and commercial contexts. It is therefore essential to understand the nature of property, the similarities and differences between real and personal property and how a modern legal system recognises and protects interests in and dealings with both real and personal property. All law schools and legal profession admission authorities regard an understanding of property law as essential for the practice of law and is a requirement for admission to the legal profession.

Aims

The aim of the unit is to provide you with an understanding of the legal principles relating to real and personal property and how these rules operate in a modern legal system. The unit also aims to develop the skills, necessary for the practice of law and your further studies of law, in legal problem solving and reasoning and oral and written communication.

Objectives

At the completion of this unit, you should be able to:

1. appreciate the development and the operation of the law of property and how it has evolved in a wider social context in response to social, economic and environmental changes;
2. critically evaluate changes in the law of property;
3. critically analyse a problem to identify and apply the correct legal principles of property law for the resolution of the problem in a real world context;
4. effectively communicate solutions to legal problems involving real and personal property;
5. develop skills relevant to employment, professional practice and life-long learning, including skills in research, legal analysis, oral and written communication and time management; and
6. evaluate and reflect upon your own performance and development, to recognise and correct gaps in knowledge and skills as relevant to this unit, future law units and your future professional practice.

Content

The material covered in this unit includes:

1. The concept of property and the reasons for its existence
2. Classification of property interests
3. The distinction between real and personal property
4. Ownership, possession and transfer of rights to personal property
5. Agency in the context of the transfer of personal property
6. Interests in personal property
7. An overview of the doctrine of tenure and estates and interests in real property, including indigenous property rights
8. Concurrent interests in land

Skills

In this unit you will further develop the following skills:

1. Problem solving
2. Critical thinking and legal analysis
3. Legal research
4. Oral and written communication
5. Time management
6. Reflective practice

Graduate Capabilities

Your understanding of the unit content and the further development of these skills will assist you to acquire the following law graduate capabilities:

1. Discipline Knowledge
2. Problem Solving, Reasoning and Research
3. Effective Communication
4. Life Long Learning
5. Work Independently and Collaboratively

Approaches to Teaching and Learning

This unit is a combination of content and skills that will develop your graduate capabilities. The unit is taught through a combination of face-to-face lectures (to assist with your understanding of property law) and face-to-face tutorials (to develop your understanding of property law and to allow you to practise and develop your communication and legal problem solving skills).

Study Guide

The Study Guide for the unit provides an outline of relevant content, prescribed readings and tutorial exercises for each week of semester.

Lectures

In this unit there is a two hour lecture timetabled for weeks 1-13. The lectures are audio taped and made available through the unit's Blackboard site and are supported by PowerPoint presentations.

Tutorials

One hour tutorials are timetabled for weeks 2-13 of the semester.

For external students, tutorial guides will be available each week on the Blackboard site as audio files.

External Attendance School

Mid-way in the semester at the external attendance school there will be a writing workshop that may assist with your assignment. There are no external attendance classes for this unit.

Assessment

Assessment in this unit is both summative and formative. Formative assessment is designed to provide you with feedback on your development or attainment of understanding of property law examined in this unit and the skills taught. In this unit you will receive formative feedback prior to the end of semester exam through:

1. The face-to-face tutorials (internal students);
2. The online tutorial guides and external school (external students);
3. The individual written feedback on your external exercise (external students);
4. The individual written feedback on your assignment;
5. The generic feedback on the assignment placed on the unit's Blackboard site; and
6. The option of private consultation with a member of the teaching team during student consultation.

How does this link with unit objectives? All of the formative assessment you receive links with objective 6.

Self Reflection

You should reflect upon the feedback (both your individual and generic feedback as provided on Blackboard) for the purpose of identifying:

1. gaps in your knowledge and understanding of the legal principles of property law;
2. inadequacies in your problem solving and reasoning;
3. strategies to improve your problem solving, written communication and legal research skills in future assessment; and
4. areas for improvement for future studies within the LLB.

How does this link with unit objectives? You should record your work, the feedback and your reflection, noting your strategies for improvement, in your Student ePortfolio. This links with objective 6.

Assessment name: Discussion Forum(tutorials)

Description: Discussion Forum (tutorials): Internal students will be assessed on their attendance at, preparation for and participation in and contribution to discussions, analysis, problem solving and skills exercises in tutorials throughout the semester.

Relates to objectives: 1-5

Weight: 10%

Internal or external: Internal

Group or individual: Individual

Due date: Each Week

Assessment name: External Exercise

Description: This exercise will require you to submit a written answer to a specified real world problem on a topic covered in the unit by this time.

Relates to objectives: 1-5

Weight: 10%

Internal or external: External

Group or individual: Individual

Due date: Week 6

Assessment name: Assignment

Description: The assignment will require you to research a set question, problem or issue and submit a written answer in the appropriate legal style. The word limit is a maximum of 3000 words.

The assignment will assess your ability to critically analyse property law concepts, evaluate and apply those concepts to solve a real world problem and use appropriate techniques to communicate the resolution to different audiences.

Relates to objectives: 1-5

Weight: 30%

Internal or external: Both

Group or individual: Individual

Due date: Week 8

Assessment name: Examination

Description: There will be a compulsory end of semester examination. The examination will be open book. All topics of the unit may be examinable.

Relates to objectives: 2, 3 and 4.

Weight: 60%

Internal or external: Internal

Group or individual: Individual

Due date: Central Exam Period

Academic Honesty

Academic honesty means that you are expected to exhibit honesty and act responsibly when undertaking assessment. Any action or practice on your part which would defeat the purposes of assessment is regarded as academic dishonesty. The penalties for academic dishonesty are provided in the Student Rules. For more information you should consult the [Academic Integrity Kit](#), and the QUT Library resources for avoiding plagiarism.

Resource materials

Prescribed Materials

MacDonald, Carmel et al, *Real Property Law in Queensland*, 2nd ed, Lawbook Co, Sydney, 2005. Edition currently being revised. If later edition available you will be advised.

Traves SJ, *Commercial Law*, 2nd ed, LexisNexis Butterworths, Sydney, 2009.

Recommended Materials

Bradbrook AJ, MacCallum SV and Moore, AP, *Australian Property Law: Cases and Materials*, 3rd ed, Lawbook, Sydney, 2007.

Butt, Peter, *Land Law*, 5th ed, Lawbook Co, Sydney, 2006. Edition currently being revised. If later edition available you will be advised.

Edgeworth B, Rossiter CJ and Stone MA, *Sackville and Neave Property Law Cases and Materials*, 8th ed, LexisNexis Butterworths, Sydney, 2008.

Blackboard site

Online resources for this unit are available on the unit blackboard site.

Risk assessment statement

There are no out of the ordinary risks associated with this unit.

Disclaimer - Offer of some units is subject to viability, and information in these Unit Outlines is subject to change prior to commencement of semester.

Last modified: 23-Dec-2010