

Conveyancing

Stage	1				
Semester	3				
Module Title	Conveyancing				
Module Number	9				
Module Status	Mandatory				
Module ECTS Credits	5				
Module NFQ level	Level 7				
Pre-Requisite Module Titles	n/a				
Co-Requisite Module Titles	n/a				
Capstone Module?	No				
List of Module Teaching Personnel	John Eardly				
Contact Hours			Non-contact Hours	Total Effort (hours)	
24			76	100	
Lecture	Tutorial	Seminar	Assignment	Independent Work	Placement
15	3	6		76	100
Allocation of Marks (Within the Module)					
	Continuous Assessment	Project	Practical	Final Examination	Total
Percentage Contribution		25	25	50	100

Intended Module Learning Outcomes

On successful completion of this module, the learner will be able to:

1. Explain the nature and purpose of Conveyancing.
2. Define the role of the professional in Conveyancing – estate agent, auctioneer, solicitor and counsel
3. Explain the distinction between registered and unregistered land.
4. Outline the pre-contractual-formation of contract-completion continuum.
5. Discuss the law relating to mortgages.
6. Identify and use standard Land Law documents in practical Conveyancing scenarios
7. Describe what happens after the procedure and remedies for enforcement of the contract including how to identify the distinction between remedies for the enforcement of the contract and post-completion remedies.

Module Objectives

This module aims to:

- Impart knowledge of the nature and purpose of conveyancing.
- Develop an understanding of the role of the professional – estate agent, auctioneer, solicitor and counsel - in conveyancing.
- Identify the conveyancing procedure involved in the transfer of property both registered and unregistered; deduction and investigation of title and completion.
- Formulate an understanding of the overlap between contract law, equity and conveyancing.
- Explain the law surrounding mortgages.
- Ensure a familiarity with key land law documents.

Module Curriculum

TOPIC	DESCRIPTION
Introduction	The role of Legal Executives and the Nature of Conveyancing
Registered and Unregistered Land	Registered land and the Land Registry; unregistered land & the Registry of Deeds.
Contract for sale of Land	Sale by private treaty/sale by auction; caveat emptor; pre-contract enquiries; formation of the contract; conditional contracts; contents of the contract; conditions of sale; position of parties pending completion; remedies for the enforcement of the contract.
Title Deeds	Deduction of title; investigation of title and searches; requisitions on title; drafting and construction of deeds; form and contents of deeds; documents for particular transactions; completing transactions.
Easements and Incorporeal Hereditaments	Historical Development, including the development of the Rule in Wheeldon v. Burrows; Section 6 Conveyancing Act 1881 and Prescription. Established Easements; Land and Conveyancing Law Reform Act 2009; Profits and types of Profits; The Attributes of Easements and Profits.
Mortgages	Mortgages and other types of security; mortgages over unregistered land; mortgages over registered land; the powers of

	the mortgagee; the right to redeem; defences to the enforcement of a mortgage; priorities.
Post Completion Remedies	Merger of contract with conveyance; covenants for title - express and implied covenants; enforceability; rescission of conveyance; rectification.

Reading lists and other learning materials

1. Griffith College Manual, *Conveyancing* (Dublin: Clarus Press, updated annually to include updates, for example, in the area of Law Society Practice Notes and Objections and Requisitions on Title)
2. Bland, *The Law of Easements and Profits à Prendre*, (Third Edition, 2015, Dublin;Roundhall)
3. Casey, and Brennan *Conveyancing*, (2012, Dublin, Law Society of Ireland Manual/Oxford University Press).
4. Land Law and Conveyancing Law Reform Act 2009.
5. Wylie, *A Casebook on Irish Land Law*, (1987,Dublin; Butterworths).
6. Wylie, *Irish Conveyancing Law*, (2011, Dublin;Butterworths).
7. Wylie, *The Land and Conveyancing Law Reform Act 2009: Annotations and Commentary*, (2009, Dublin;Bloomsbury Professional).
8. IILEX Code of Professional Conduct
9. IILEX Professional Conduct; Disciplinary Procedure

Module Learning Environment

Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

The workshop is held in an open plan room with movable desks in order to facilitate group work, discussion, presentations. The workshop is not recorded as all learners must attend.

Library

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the College’s Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College’s other computer labs, open labs and the e-learning studio. The College’s IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

Module Teaching and Learning Strategy

This module will be delivered through a series of lectures, through tutorial-style discussions, group work sessions and exercises, and supplemented by structured web-based resources and reading; and also involves one practical workshop

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class, and one three-hour workshop.

Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

The workshop will comprise an interactive, group discussion based assessment, with learners requested to engage in interviews and negotiation exercises.

Lectures and tutorials will be supplemented by structured web-based resources and reading.

In order to support learners through the exam process they engage in the answering of sample exam questions and correction of their own or peers’ papers, thereby familiarising themselves with the process of writing papers and with the marking criteria.

Module Assessment Strategy

Theoretical knowledge will be assessed at the end of the module by examination (worth 50%), the purpose of which is to enable learners to become accustomed to undertaking

extended examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner's ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 25% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical capacity. The Assignment focuses on a matter of practical importance in the field of Irish Conveyancing Law. Learners will submit an assignment, which typically comprises of an essay on one of the major academic aspects of the course.

Element No.	Weighting	Type	Description	Module Learning outcomes
1	25%	Assignment	Learners are required to complete a practical piece of coursework which is modelled on the workshop activities	6
2	25%	Workshop	Learners are required to work in groups completing a numbers of tasks including drafting and mock interviews.	6
3	50%	Exam	The examination consists of a choice of both essay and problem style questions. Essay style questions place emphasis on the learners' demonstrating their understanding of the main principles of the law and their capacity to critique the law. Problem style questions enable learners to apply principles of the law to a factual scenario.	1-7

Sample Assessment with Rubrics

See Sample Assessments attached.