## Module 8: Land Law

|  |
| --- |
| **Module title**  |
| Land Law |
| **Module NFQ level** (only if an NFQ level can be demonstrated) | **Module number / reference** | **ECTS Value** | **Duration** |
| Level 7 | DLSP-LL | 5 ECTS | 8 weeks |
| **Parent programme(s).** Principal programme title, and embedded(s) if relevant | **Stage of parent programme** | **Semester No.** |
| Diploma in Legal Studies and Practice | Award Stage | Block 3 |
| Certificate in Legal Studies – Elective Module | Award Stage | Block 3 |
| **Teaching and Learning modes** | **Proportion** (% of Total Directed Learning) |
| Classroom / Face to Face | 20% |
| Workplace | - |
| Online | - |
| Other (Identify) | 80% |
| **Entry requirements (statement of knowledge, skill and competence)** |
| Learners must comply with and meet programme entry requirements. |
| **Maximum number of learners per instance of the module** | 80 |
| **Average (over the duration of the module) of the contact hours per week**  | 4 hours |
| **Pre-requisite module title(s) (if any)** | n/a |
| **Co-requisite module title(s) (if any)** | n/a |
| **Is this a capstone module? (Yes or No)** | No |
| **Module-specific physical resources and support required** **per centre (or instance of the module)** |
| Lecture room with Wi-Fi access, digital recording facilities, Zoom access and digital projector.  |
| **Specification of the qualifications (academic, pedagogical and professional/occupational) and experience required of staff working in this module.** (Staff includes workplace personnel who are responsible for learners such as apprentices, trainees and learners in clinical placements) |
| **Role e.g. Tutor, Mentor etc** | **Qualifications & experience required:**  | **# of Staff with this profile (WTEs)** |
| Lecturer | Lecturers expected to hold at minimum a Level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College. Industry experience is beneficial but not a requirement. | 0.25 WTE |

|  |
| --- |
| **Analysis of required learning effort**  |
| **\*Effort while in contact with staff** | **Minimum ratio teacher / learner** | **Hours** |
|  Classroom and demonstrations | 1:80 | 21 |
| Mentoring and small-group teaching | - | - |
|  Other (specify) – workshop | - | - |
| **Independent Learning** |
|  Directed e-learning (hours) | - |
|  Independent Learning (hours) | 104 |
|  Other hours (specify) | - |
|  Work-based learning hours of learning effort  | - |
| **Total Effort (hours)** | 125 |

|  |
| --- |
| **Allocation of Marks** |
|  | **Continuous Assessment** | **Supervised Project** | **Proctored Practical Exam.** | **Proctored Written Exam** | **Total** |
| **Percentage Contribution** | 40% | - | - | 60% | **100%** |

### Modules Aims and Objectives

The purpose of the Land Law module is to provide learners with an understanding of the fundamental concepts and key principles of Irish land law. This module aims to provide a historical perspective on the evolution of land law, and ensure a detailed knowledge of the rules of land law. Learners are enabled to trace current entitlements from those succeeded to contractually.

The module aims to foster an understanding of legal and equitable interests in property and an understanding of the practical operation of land law. The module covers core concepts including estates, registration of land, co-ownership, adverse possession, succession, licences, landlord/tenant relationships and family property.

### Minimum intended module learning outcomes

On successful completion of this module, learners are able to:

1. Explain the historical background to land law.
2. Describe the estates in land law, including the ability to distinguish particular estates.
3. Discuss the rules of land law, including engaging in analysis of these rules and proposals for reform, where applicable.
4. Assess judicial and legislative rules on land law.
5. Analyse factual scenarios and be able to identify the estate, type of ownership, and particular rule of land law in question.

### Rationale for inclusion of the module in the programme and its contribution to the overall MIPLOs

The purpose of the Land Law module is to provide learners with an understanding and knowledge of the key principles and fundamentals of Irish land law. The module covers the historical background of land law which provides context to the manner in which the system operates in modern times. This is explored in detail in the consideration of the various estates which existed historically and those which subsist in modern times.

Learners gain an understanding of the core pillars of land law. They also gain the ability to assess and apply rules of land law to factual scenarios. Their research and legal writing skills are developed in the course of the module. The module provides learners with important skills both for their legal studies and legal work. These learning outcomes prepare learners for further study (in particular, for the Law of Equity) and practical application. An understanding of land law is particularly important for learners who pursue careers in the legal professions. In that context this module supports the achievement of MIPLO I.

The module requires learners to apply their knowledge of Land Law to a number of formative and summative, abstract and problem-based problems. Said application must be persuasive, informed by a variety of legal sources and appropriately referenced. In that context this module supports the achievement of MIPLOs II and IV.

Formative classwork includes group discussion of exercises, fact-based problem scenarios and quizzes, aimed at increasing collaborative problem-solving. In that context this module supports the achievement of MIPLO VI.

By receiving feedback on all summative and formative assessments, learners are enabled to evaluate and reflect on their work, thereby facilitating improvement. In that context this module supports the achievement of MIPLO VII.

Land law has a long history, which has recently seen sweeping changes with the introduction of key legislation i.e. the Land and Conveyancing Law Reform Act 2009, which had a significant impact on society as a whole. The changes introduced are taught in a comparative manner and learners are required to contrast pre and post reformation periods with a critical lens. In that context this module supports the achievement of MIPLO VIII.

### Information provided to learners about the module

Learners enrolled on this module initially receive a copy of the module descriptor, assessment briefs and assessment strategy. These materials are given directly by the lecturer and also by the Programme Director as part of the Learner Handbook for award stage modules of the programme. All content is provided on Moodle as well as access to additional content through the library and online resources.

Online (via Moodle) learners are provided with video recording of each lecture, copy of PowerPoint slides, a module specific manual, extensive reading list, incorporating professional and academic and non-academic sources. Guest lectures will be introduced to ensure practical knowledge and real-life examples will keep the content relevant.

### Module content, organisation and structure

Land Law is a 5 ECTS credit module taught over an 8 week block. This block includes 5 lectures (of 4 hour duration); one revision class; two reading weeks; an assignment, and an exam week. Specifically, the topics covered are as follows:

|  |  |
| --- | --- |
| **TOPIC** | **DESCRIPTION** |
| **Introduction to Land Law****Estates (**4 hours, 19%) | This lecture examines:* The nature of ownership; historical development of Land Law;
* Possession; statutory reforms; tenure.
* Freehold estates; leasehold estates; hybrid estates.
 |
| **Registration of Land****Co-ownership (**4 hours, 19%) | This lecture examines:* Registration of Title Act 1964; Compulsory Registration; Classes of owners and Classes of title; Transferring registered land.
* Joint Tenancy; Tenancy in Common; Creation; Severance.
 |
| **Succession (**4 hours, 19%) | This lecture examines:* Probate and Wills; Testate succession – including restriction of testamentary freedom; intestate succession; personal representatives; practice & procedure of the administration of estates.
 |

|  |  |
| --- | --- |
| **Licences and Leases (**4 hours, 19%) | This lecture examines:* Features of a licence; Creation; Categories; Estoppel and Revocation.
* Characteristics of a Lease; Express of Implied Contract; The Reversion; Lease or a Licence? Formalities for creation of a Lease; Assignment and subletting; Covenants; Termination of the Relationship; Rights and Proposals for reform. Residential Tenancies Act 2004 - role of the Residential Tenancies Board re: appointment by agreement of both sides of a mediator to resolve disputes between landlord and tenant
 |
| **Adverse Possession****Family Property** (4 hours, 19%) | This lecture examines:* The Limitation Period; Freehold Land; Leasehold Land.
* Equity Acquired by contribution to the family home; The Family Home Protection Act; Judicial Separation; The Family Law Act 1995, Divorce; Family Law (Divorce) Act 1996.
 |
| **Revision & Preparation**(1 hour, 5%) | This session will provide a revision class for learners with exam preparation guidance and assistance. |

### Module teaching and learning (including formative assessment) strategy

This module is delivered through a series of lectures. Learners engage with the module either in class; online via the online streaming option or via recorded lectures. On Moodle, virtual learning environment, the lecturer can interact with learners via the class discussion forum and upload relevant additional learning material e.g. legal articles, case law, study aids and relevant multimedia. The module comprises of 21 contact hours, being 20 lecture hours and one revision/exam preparation class. Formative assessment is provided in the form of interactive exercises such as tutorial style discussions, quizzes, directed class discussion topics and collaborative group work.

### Work-based learning and practice-placement

There is no work-based learning or practical placement in the module.

### E-learning

Griffith College uses Moodle, a virtual learning environment, to support its delivery of e-learning activities in the form of peer-to-peer support based around activities where learners give and receive feedback, forums where learners must contribute, formative quizzes and video links.

### Module physical resource requirements

Requirements are for a fully equipped classroom. The classroom has Wi-Fi access and is equipped with a PC with Zoom and Microsoft Office. In addition, the classroom has digital recording facilities and digital projector. No other software is required for this module. The College library has a dedicated law section and online legal research tools including Justice One, Westlaw, Hein Online.

### Reading lists and other information resources

**Primary Reading**

Griffith College Manual, Land Law (Dublin: Clarus Press, updated annually)

De Londras, Principles of Irish Property Law, (2011, Dublin; Clarus Press)

Lyall, Land Law in Ireland, (2010, Dublin; Round Hall)

Wylie, Irish Land Law, (2020, Dublin; Butterworths)

**Secondary Reading**

Delaney, Equity and the Law of Trusts in Ireland, (2011, Dublin; Thompson Round Hall)

Keating, Succession Law in Ireland, (2015, Dublin; Clarus Press)

Wylie, Landlord and Tenant Law, (2014, Dublin; Butterworths)

### Specifications for module staffing requirements

Lecturers expected to hold at minimum a Level 8 legal qualification, preferably with a professional legal qualification. It is an advantage to have completed the Certificate in Education, Learning and Development provided by Griffith College. Industry experience is beneficial but not a requirement.

### Module summative assessment strategy

Theoretical knowledge is assessed at the end of the module by examination (worth 60% of overall grade), 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 NFQ and in the sphere of professional legal training.

The examination consists of a mixture of essay-style questions and problem-style questions. The former emphasises the demonstration of effective academic writing and an analysis of key concepts or topics on the programme. Problem-style questions are aimed at assessing the learner’s ability to apply the law to practical, factual scenarios.

The examination is supplemented by an essay assignment worth 40% of the overall grade enabling learners to use their learning from class-based work and to develop their legal research, problem-solving, independent learning and initiative skills, and professional analytical capacity. The assignment focuses on a matter of practical importance in the field of Irish Land Law.

The following table indicates the module learning outcomes’ alignment with the assessment used for the module:

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Description** | **MIMLOs** | **Weighting** |
| 1 | Exam | (i) to (v) | 60 |
| 2 | Essay | (i) to (iv) | 40 |

**Reassessment/Repeat assessment strategy:** Griffith College regulations state that learners must pass all component elements of the module to be deemed to have passed the module.

* In the event of a learner failing components of / this module, they will be required to submit a new individual repeat assignment which will be made available on Moodle to learners, and which must be submitted as per faculty instructions.
* In the event of a learner failing the group assessment element of this module, a new individual repeat assignment will be made available on Moodle to learners which must be submitted as per faculty instructions.
* In the event of the learner failing the exam, learners will take the re-sit exam at the next available sitting, details of which will be made available to learners via Moodle.

### Sample assessment materials

Please see sample assessment supplementary document.