

Equity and Trusts

Module Code:	LAW6002-B
Academic Year:	2018-19
Credit Rating:	20
School:	School of Law
Subject Area:	Law
FHEQ Level:	FHEQ Level 6
Module Leader:	Dr Ilias Kapsis

Additional Tutors:

Pre-requisites:

Co-requisites:

Contact Hours

Type	Hours
Lectures	22
Tutorials	10
Directed Study	166.5
Examinations DO NOT USE	1.5

Availability Periods

Occurrence	Location/Period
BDA	University of Bradford / Semester 1 (Sep - Jan)
BDA	University of Bradford / Semester 2 (Feb - May)

Module Aims

To develop a general knowledge and understanding of the nature of Equity and equitable interests and trusts.

To provide a detailed knowledge of the features and operation of express and implied (constructive and

resulting) trusts.

To provide in depth understanding of the nature and extent of the power and duties of trustees.

To enable you to identify breaches of the trust and the legal consequences of a breach.

To develop skills of legal analysis and application.

Outline Syllabus

A selection from the following topics:

The definition and nature of Equity.

The definition and nature of a Trust.

Creation and termination of an express Trust.

Trustees' appointment, duties and powers.

The management and control of Trusts.

Remedies for breach of trustees' duties (equitable and common law).

Constructive Trusts.

Resulting Trusts.

Charities and Charitable Trusts.

One or more of the following topics: Trusts and taxation; Trusts and commercial credit; Trusts and nonprofit associations; Trusts and relationship property; Secret trusts and mutual wills

Module Learning Outcomes

On successful completion of this module, students will be able to...

- 1 LO1. Demonstrate knowledge and understanding of the basic theoretical foundations, principles and rules of equity and trusts and critique them.
- 2 LO2. Apply the rules of equity and trusts to factual scenarios to help resolve legal disputes.
- 3 LO3. Perform independent research and presentation skills.
- 4 LO4 communicate effectively in writing to different types of audiences.

Learning, Teaching and Assessment Strategy

Learning is will be directed, supported and reinforced through a combination of lectures, tutorials and

guided private study to help you achieve all the module's learning outcomes. Lectures will deliver theory

and an introduction to the topics. Tutorials will cover analysis and critique of the theoretical foundations of equity and of the relevant principles and rules (LO1). Case studies will be used to teach you the

practical application of the law (LO2) and help you develop appropriate written communication on trust law (LO4). You will be required to perform independent research and

presentation exercises (LO3). Additional materials will be supplied through a virtual learning environment.

The sessions will highlight issues related to sustainable development, such as ethical issues

and

dilemmas facing trustees and fiduciaries, and the contribution of law towards the achievement of equality

and fairness for all by correcting common law injustices. Oral feedback will be given in the class and

opportunities for written feedback will be provided. Tutors will be available to meet you individually, if

requested, to discuss further feedback opportunities and review your progress. Formative assessments will be also made available. Summative assessment will be in two parts: by coursework and by examination.

The two modes of assessment combined will assess your ability to achieve all the learning outcomes. Both parts will combine essay-style and problem-style questions.

Mode of Assessment

Type	Method	Description	Length	Weighting	Final Assess'
Summative	Examination - closed book	Examination - Closed Book	0 hours	50%	No
Summative	Coursework	Individual assignment of up to 2000 words	0 hours	50%	Yes

Legacy Code (if applicable)

MAN6351D

Reading List

To view Reading List, please go to [rebus:list](#).