

**LAW206** **Property B**

School: School of Law and Society

2022 | Semester 2

UniSC Sunshine Coast

**BLENDED  
LEARNING**

Most of your course is on campus but you may be able to do some components of this course online.

*Please go to [usc.edu.au](http://usc.edu.au) for up to date information on the teaching sessions and campuses where this course is usually offered.*

**1. What is this course about?****1.1. Description**

Building on LAW205 the course examines proprietary interests in land owned by another - mortgages and security interests, easements, profits and covenants. A detailed study of the Torrens System of land registration encompasses: the effect of registration, the scope and purpose of indefeasible title: fraud and other exceptions to indefeasibility: compensation and remedies; caveats and priority of unregistered interests.

**1.2. How will this course be delivered?**

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
<b>BLENDED LEARNING</b>			
<b>Lecture</b> – On campus lecture - 2 hours in weeks 1-6 and 8-13.	2hrs	Week 1	12 times
<b>Tutorial/Workshop 1</b> – On campus and/or online tutorial - 1 hour in weeks 2-6 and 8-13.	1hr	Week 2	11 times

**1.3. Course Topics**

Easements – creation and construction

Easements – profits and freehold covenants

Mortgages – review

Torrens System &amp; indefeasibility

Fraud &amp; indefeasibility

Personal equities – exception to indefeasibility

Other exceptions to indefeasibility

Protection of unregistered instruments

Caveats

Priorities

## 2. What level is this course?

200 Level (Developing)

Building on and expanding the scope of introductory knowledge and skills, developing breadth or depth and applying knowledge and skills in a new context. May require pre-requisites where discipline specific introductory knowledge or skills is necessary. Normally, undertaken in the second or third full-time year of an undergraduate programs.

## 3. What is the unit value of this course?

12 units

## 4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES		GRADUATE QUALITIES
On successful completion of this course, you should be able to...		Completing these tasks successfully will contribute to you becoming...
1	Research, evaluate and synthesise relevant legal, factual and policy matters.	Empowered
2	Apply knowledge of key concepts and principles of Property Law to factual contexts.	Knowledgeable
3	Demonstrate legal reasoning and analytic thinking to generate appropriate responses to legal issues.	Creative and critical thinker Sustainability-focussed
4	Communicate effectively and persuasively.	Creative and critical thinker

## 5. Am I eligible to enrol in this course?

Refer to the [UniSC Glossary of terms](#) for definitions of “pre-requisites, co-requisites and anti-requisites”.

### 5.1. Pre-requisites

LAW205 and enrolled in any Law Program

### 5.2. Co-requisites

Not applicable

### 5.3. Anti-requisites

Not applicable

### 5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

## 6. How am I going to be assessed?

### 6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

### 6.2. Details of early feedback on progress

Early feedback on progress is available in weekly hands-on tutorials, where students have an opportunity to present (and receive feedback on) responses to hypothetical advice scenarios and discussion questions. The first piece of assessment is an essay plan due in week 5. This will provide you early feedback on your progress and assist you in your major essay.

### 6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Plan	Individual	10%	500 words	Week 5	Online Assignment Submission with plagiarism check
All	2	Thesis	Individual	40%	1500 words	Week 9	Online Assignment Submission with plagiarism check
All	3	Examination - Centrally Scheduled	Individual	50%	4 Hours	Exam Period	Online Assignment Submission with plagiarism check

#### All - Assessment Task 1: Research plan

GOAL:	To develop a plan to guide your research in developing an answer to assessment task 2, and to obtain feedback. You will research, evaluate and synthesis relevant legal and policy matters, apply knowledge of property law principles and concepts, and communicate effectively.		
PRODUCT:	Plan		
FORMAT:	A written plan with footnotes using AGLC referencing. No bibliography is required		
CRITERIA:	No.		Learning Outcome assessed
	1	Research, evaluation and synthesis of relevant legal principles	1
	2	Application of knowledge of property law principles and concepts	2 3
	3	Effective written communication and presentation	4
	4	Referencing	4
GENERIC SKILLS:			

#### All - Assessment Task 2: Research thesis

GOAL:	Enhance your knowledge of property law by researching, evaluating and applying legal principles; Develop your skills in researching legal issues; Demonstrate analytic and critical thinking; and Communicate in ways that are effective, skilled and persuasive.		
PRODUCT:	Thesis		
FORMAT:	Essay (1500 words) excluding footnotes and bibliography, referenced according to the Australian Guide to Legal Citation.		
CRITERIA:	No.		Learning Outcome assessed
	1	Research, evaluation and synthesis of relevant legal and policy matters	1
	2	Application of knowledge of property law principles and concepts	2
	3	Legal reasoning and analytic thinking to generate appropriate conclusions	3
	4	Effective written communication and presentation	4
	5	Referencing	4
GENERIC SKILLS:			

### All - Assessment Task 3: Final Examination

<b>GOAL:</b>	To demonstrate your ability to analyse property law issues arising from factual scenarios, to find and formulate legal principles, to apply them to the facts and to reach reasoned conclusions.																			
<b>PRODUCT:</b>	Examination - Centrally Scheduled																			
<b>FORMAT:</b>	You may use any materials to construct an answer to unseen legal problems or legal issues drawn from any part of the course.																			
<b>CRITERIA:</b>	<table><tr><th>No.</th><th></th><th>Learning Outcome assessed</th></tr><tr><td>1</td><td>Identifies relevant legal issues</td><td>1</td></tr><tr><td>2</td><td>Explains the relevant legal principles derived from statute or case law</td><td>1</td></tr><tr><td>3</td><td>Applies legal reasoning to the problem</td><td>2</td></tr><tr><td>4</td><td>Reaches arguable conclusions</td><td>3</td></tr><tr><td>5</td><td>Clarity and organisation of answer</td><td>4</td></tr></table>	No.		Learning Outcome assessed	1	Identifies relevant legal issues	1	2	Explains the relevant legal principles derived from statute or case law	1	3	Applies legal reasoning to the problem	2	4	Reaches arguable conclusions	3	5	Clarity and organisation of answer	4	
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<b>GENERIC SKILLS:</b>																				

## 7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Student workload is calculated at 12.5 learning hours per one unit.

## 8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

### 8.1. Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below. Resources may be required or recommended.

REQUIRED?	AUTHOR	YEAR	TITLE	EDITION	PUBLISHER
Required	Anne Wallace, Les McCrimmon and Michael Weir	2020	Real Property Law in Queensland	5th edition	Thomson Reuters

### 8.2. Specific requirements

Not applicable

## 9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the [online induction training for students](#), and following the instructions of the University staff.

## 10. What administrative information is relevant to this course?

### 10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

## 10.2. Assessment: Additional Requirements

### Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%

The course is graded using the Standard Grading scale

You have not failed an assessment task in the course due to academic misconduct

## 10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:

- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.

- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.

- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

## 10.4. SafeUniSC

UniSC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUniSC by phone: [07 5430 1168](tel:0754301168) or using the [SafeZone](#) app. For general enquires contact the SafeUniSC team by phone [07 5456 3864](tel:0754563864) or email [safe@usc.edu.au](mailto:safe@usc.edu.au).

The SafeUniSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call [07 5430 1226](tel:0754301226) or email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au).

## 10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the [Learning Advisers](#) web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au).

## 10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to [Student Hub](#), email [studentwellbeing@usc.edu.au](mailto:studentwellbeing@usc.edu.au) or call 07 5430 1226.

## 10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, [AccessAbility Services](#) can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to [Student Hub](#), email [AccessAbility@usc.edu.au](mailto:AccessAbility@usc.edu.au) or call 07 5430 2890.

## 10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Central Examinations
- Deferred Examinations
- Student Conduct
- Students with a Disability

For more information, visit <https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching>

## 10.9. Student Charter

UniSC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The [Student Charter](#) sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

## 10.10. General Enquiries

### In person:

- **UniSC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **UniSC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **UniSC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **UniSC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **UniSC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **UniSC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

**Tel:** +61 7 5430 2890

**Email:** [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au)