Module Code: E&T  
NQF level: 6  
Credit Value: 30  
Study duration: 18 weeks

**Module description:**  
This is a 30 credit Level 6 module which forms part of the core of the LLB. All students must complete this part of the course. The module focuses on the requirements for creating valid private express trusts, the purpose rules and limits upon Charitable Trusts, and powers and duties of trustees.

**This module aims to:**  
- provide students with an understanding of the principles of the establishment and management of trusts and complex property transactions.  
- provide a starting point for students to undertake independent legal research on equity and trust law related issues.  
- provide students with the knowledge required enabling them to identify key legal issues in a problem/scenario based question and apply the law to solve the problem.

**Learning outcomes**  
On completion of this module, students will be able to:  
- Apply key equitable concepts, principles and doctrines;  
- Understand the nature of the relationship between trustees and beneficiaries, the powers and duties imposed upon the trustees in the execution of their functions, and the remedies the beneficiaries have if the relationship breaks down;  
- Appreciate the basic rules and principles for and relationship between the topics of creation of trusts (express and implied) and transfer of property, charities, trusteeship and remedies in trusts;  
- Understand from the case-law the detailed application of those rules and principles and the debates about their correctness, application and reform;  
- Discuss the relevance and application of principles and policies (such as the maxims of equity) to issues arising in problem based scenarios  
- Comprehend and use basic numeracy information as part of a problem question.

**Syllabus**  
- Introduction to Equity and trusts  
- Nature and classification of trusts  
- Express trusts: certainties  
- Express trusts: formalities  
- Express trusts: constitution  
- Variation of trusts  
- Secret trusts  
- Implied and resulting trusts  
- Constructive trusts  
- Trustees, powers and duties: 1  
- Trustees, powers and duties: 2  
- Breach of trust  
- Fiduciary duties  
- Third party liability  
- Charities  
- Tracing and proprietary remedies 1  
- Tracing and proprietary remedies 2  
- Equitable remedies

**Learning and teaching methods**  
The Learning and Teaching Methods for the Module follow the intended online delivery Strategy for the Programme as a whole.

The module will be delivered by reading materials available on the learning platform supported by discussion forums and online lectures using the Zoom synchronous communication and application sharing facility. Students will be encouraged to identify and share relevant web-based resources. Within the interactive lectures and discussions you will be encouraged to explore current theoretical, practical and policy issues with your tutor and fellow students.

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<thead>
<tr>
<th>Description of unit of assessment</th>
<th>Length/Duration</th>
<th>Submission Date</th>
<th>Weighting</th>
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<tbody>
<tr>
<td>2 assessed discussion activities</td>
<td>2 weeks</td>
<td>n/a</td>
<td>20%</td>
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<tr>
<td>2 regular assignments</td>
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<tr>
<td>- Presentation – key duties of trustees and difficulties of enforcement</td>
<td>2000-2500 words</td>
<td>Mid term</td>
<td>40%</td>
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<tr>
<td>End of module project</td>
<td>4000-4500 words</td>
<td>End term</td>
<td>40%</td>
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