



Module code	ULAW/6/EAT/19/E	NQF level	6
Credit value	15	Study duration	9 weeks

Equity and Trusts

Module description

This is a 15 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 demonstrate:

- knowledge and critical understanding of the fundamental doctrines and principles of law relating to equity and trust law
- an ability to research and critically analyse the law from primary resources on specific matters
- critically engage with relevant legal concepts, values, principles and rules of English law explaining the relationship between them in a number of particular areas
- appreciate the uncertainty, ambiguity and limits of knowledge
- demonstrate familiarity with relevant research
- to apply legal research findings to the solution of legal problems
- communicate complex ideas and sustain arguments in a coherent and effective manner (using appropriate legal terminology) and organise and present information relevant to the intended audience
- use information technology, such as word processing, databases and the web effectively, to access legal information and produce well-presented, professional documents
- comprehend and use basic numerical information
- critically discuss legal issues with fellow students and reach a well-reasoned conclusion

Syllabus

- Fundamentals of equity and trusts
- Express trusts: certainties
- Express trusts: the rights of beneficiaries
- Express trusts: formalities
- Administration of trusts: duties of trustees
- Administration of trusts: powers of trustees and variation of trusts
- Trusts implied by law: resulting
- Trusts implied by law: constructive
- Equitable remedies

Learning and teaching methods

Teaching will be delivered through the provision of specified reading materials that will be provided on the University of Essex Online learning platform, and will be supported by specified discussion forums, pre-recorded lecturecasts and biweekly live seminars (using synchronous communication software and application sharing facility).

Students will be provided with indicative guidance on and encouraged to look at relevant websites which are appropriate to the learning outcomes, and to identify and share appropriate web-based resources (as learning support references) with their fellow students.

The pre-recorded lecturecasts and the online question and answer sessions will include referenced use of selected case studies which will be drawn from the reading materials and the practice-based and professional/educational contexts and experience of the tutors.

There will be also provision for weekly meetings with tutors in their office hours supplementing online students' self-managed learning, discussing their individual queries, and directing them to require and indicative reading.

Description of unit of assessment	Length/Duration	Submission date	Weighting
Assessed discussion activity/problem-based assignment	3 weeks (if assignment 1,500 words)	N/A	20%
End of module assignment: problem scenario advice to client	4,000 words	End term	80%