

| Module Details |                   |
|----------------|-------------------|
| Module Title   | Equity and Trusts |
| Module Code    | LAW6002-B         |
| Academic Year  | 2021/2            |
| Credits        | 20                |
| School         | School of Law     |
| FHEQ Level     | FHEQ Level 6      |

| Contact Hours  |       |
|----------------|-------|
| Type           | Hours |
| Lectures       | 22    |
| Tutorials      | 20    |
| Directed Study | 158   |

| Availability |                                        |
|--------------|----------------------------------------|
| Occurrence   | Location / Period                      |
| BDA          | University of Bradford / Academic Year |

| Module Aims                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>To develop a general knowledge and understanding of the nature of Equity and equitable interests and trusts.</p> <p>To provide a detailed knowledge of the features and operation of express and implied (constructive and resulting) trusts.</p> <p>To provide in depth understanding of the nature and extent of the power and duties of trustees.</p> <p>To enable you to identify breaches of the trust and the legal consequences of a breach.</p> <p>To develop skills of legal analysis and application.</p> |

## Outline Syllabus

The typical syllabus contains 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.
- \* Appointment, duties and powers of trustees.
- \* 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

## Learning Outcomes

| Outcome Number | Description                                                                                                                                |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 01             | Demonstrate knowledge and understanding of the basic theoretical foundations, principles and rules of equity and trusts and critique them. |
| 02             | Apply the rules of equity and trusts to factual scenarios to help resolve legal disputes                                                   |
| 03             | Perform independent research and presentation skills.                                                                                      |
| 04             | 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                                           | Weighting |
| Summative          | Coursework - Written      | Individual assignment of up to 2000 words             | 50%       |
| Summative          | Examination - Closed Book | A mix of problems and essay- based scenario (1.5 Hrs) | 50%       |

| Reading List                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| To access the reading list for this module, please visit <a href="https://bradford.rl.talis.com/index.html">https://bradford.rl.talis.com/index.html</a> |

*Please note:*

*This module descriptor has been published in advance of the academic year to which it applies. Every effort has been made to ensure that the information is accurate at the time of publication, but minor changes may occur given the interval between publishing and commencement of teaching. Upon commencement of the module, students will receive a handbook with further detail about the module and any changes will be discussed and/or communicated at this point.*

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