

**City University of Hong Kong  
Course Syllabus**

**offered by School of Law  
with effect from Semester A 2015/16**

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**Part I Course Overview**

<b>Course Title:</b>	Land Law I
<b>Course Code:</b>	LW5607A
<b>Course Duration:</b>	One Semester
<b>Credit Units:</b>	3
<b>Level:</b>	P5
<b>Medium of Instruction:</b>	English
<b>Medium of Assessment:</b>	English
<b>Prerequisites:</b> <i>(Course Code and Title)</i>	For 2012 Cohort and before: LW5602 Law of Contract or LW2602A and LW2602B Law of Contract I & II or LW2602 For 2013 Cohort and thereafter: LW5621 Legal Systems of Hong Kong and Mainland China, LW5622 Legal Methods, Research and Writing and LW5602 Law of Contract
<b>Precursors:</b> <i>(Course Code and Title)</i>	Nil
<b>Equivalent Courses:</b> <i>(Course Code and Title)</i>	LW3607 (The semester A part)
<b>Exclusive Courses:</b> <i>(Course Code and Title)</i>	Nil

## Part II Course Details

### 1. Abstract

This course aims to help students –

- ❖ examine the nature, scope and significance of land law
- ❖ develop a sound knowledge of the principles of land law
- ❖ develop the following skills in relation to issues concerning land law
  - research skills
  - analytical and problem-solving skills
  - effective written and oral communication skills
- ❖ develop an awareness of the social and commercial contexts in which land law operates

### 2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	<b>Describe and explain</b> basic principles of land law.	40%	✓	✓	✓
2.	<b>Analyse and critically evaluate:</b> <ul style="list-style-type: none"> <li>❖ land law issues of topical interest</li> <li>❖ the operation of the substantive rules of land law:                             <ul style="list-style-type: none"> <li>○ in terms of the objectives and practical implications of land law</li> <li>○ their social and commercial contexts in relation to other branches of law.</li> </ul> </li> </ul>	35%	✓	✓	✓
3.	<b>Apply</b> principles of land law to <b>solve legal problems</b> by: <ul style="list-style-type: none"> <li>❖ researching issues of land law</li> <li>❖ analysing and solving problems in the area of land law</li> <li>❖ communicating their analysis clearly and precisely in their own words and in plain English.</li> </ul>	15%	✓	✓	✓
4.	<b>Communicate</b> ideas, arguments or advice clearly and coherently orally and in writing.	10%	✓	✓	✓
		100%			

A1: *Attitude*

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

A2: *Ability*

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.*

A3: *Accomplishments*

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

Alignment of CILOs with PILOs:

PILOs		CILOs
1	Explain and assess specified areas of the law and the legal system of Hong Kong, with particular emphasis on the law in action and the dynamic interplay between law and other social phenomena.	1, 4
2	Assess the common law system and its values, and its interaction with the law and legal system of mainland China, the East Asian region and the wider world.	1, 2
3	Explain, interpret and apply main principles of ethics, civil duty, and social and professional responsibility.	2, 3
4	Critically assess the strengths and weaknesses of law as a means of regulating society in the context of competing and conflicting interests.	4
5	Demonstrate and apply skills of legal analysis and reasoning, of legal research, or problem solving, and of oral and written communication to a level appropriate to a graduate-entry degree in law.	3, 4

**3. Teaching and Learning Activities (TLAs)**

*(TLAs designed to facilitate students' achievement of the CILOs.)*

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
<i>Preparation for tutorials</i>	<i>Researching primary and secondary sources of law in order to understand principles of land law in their practical application</i> Students will acquire knowledge of principles of land law.	✓				
	Students will research issues of land law.		✓	✓		
	Students will be expected to research on the tutorial assignments, and be ready to contribute to discussion.				✓	
<i>Lectures</i>	Students will receive guidance on basic research.	✓				
	Students will be introduced to principles of land law in their practical application.		✓			
	Students will learn how to solve problems by applying land law.			✓		
<i>Tutorials</i>	Students will, by answering questions and engaging in exercises in relation to principles of land law, develop analytical and critical skills. Tutorial questions will require students to analyse facts and law and critically examine the adequacy and effective of the law in its current state.	✓				
	Students will be required to scrutinise, analyse and evaluate land law issues of topical interest.		✓			
	Students will be required to analyse fact situations and to apply case law precedents to ascertained facts.			✓		
	Students are required to participate in tutorial discussion, particularly by making presentations on pre-assigned aspects of tutorial assignments. Students will also be asked to discuss a particular tutorial question among themselves, with the tutor commenting on strengths and weaknesses of student contributions.				✓	

#### 4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: 50%						
<i>Tutorials</i>					20%	
These will test students' ability to research, analyse and solve problems, and communicate solutions.			✓			
Tutorials will test students' ability to present clear and precise answers to tutorial questions.				✓		
<i>Assignment/s</i>					30%	
Tutorials and assignments will demonstrate students' ability to understand and explain principles of land law.	✓					
They will test students' ability to analyse and critically evaluate relevant legal principles.		✓				
These will test students' ability to research, analyse and solve problems, and communicate solutions in writing.			✓			
Examination: 50 (duration: 3 hours)						
This will test students' ability to apply principles of land law to solve practical problems.			✓			
The examination will test the ability of students to present their answers lucidly separating the relevant from the irrelevant issues.				✓		
					100%	

**Grading of Student Achievement:** Standard (A+, A, A-...F). Grading is based on student performance in assessment tasks / activities.

Assessment will be by coursework (50%), which will comprise continuous performance evaluation, a problem based assignment and a written examination (50%).

To pass this course students must obtain an aggregate mark of 40% and a minimum of 40% in each of the coursework and the examination elements of the assessment. Coursework for this purpose means those ways in which students are assessed otherwise than by the end of session examination.

The portion of the overall mark allocated to performance/participation in inter-active in class activities will be assessed on the quality of the participation. Assessment criteria for those activities, their nature and their timing will be set out in the study guide/course manual and will be further expanded upon by the course leader.

The duration of the examination will be at the discretion of the course leader. The course leader will announce the duration of the examination in the first week of the course. Similarly the course leader will announce whether the examination will be closed book or open book.

To enable the full benefit to be obtained from this course, students should attend all of the classes and activities.

Assessment will be formative to enable students to demonstrate their capacity to understand, analyse and apply rules and principles and summative to assess ability to synthesise primary and secondary material to solve novel problems.

## 5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Adequate (C+, C, C-)	Marginal (D)	Failure (F)
1. <i>Assignment/s</i>	<ul style="list-style-type: none"> <li>•an adequate command of legal doctrines and case law;</li> <li>•using appropriate materials and methods; a critical evaluation of current legal framework and</li> <li>•develop new proposals for future reform;</li> <li>• writing style</li> <li>•structure;</li> </ul>	A+, A, A-	B+, B, B-	C+, C, C-	D	F
2. <i>Tutorials</i>	Present engagingly Think creatively, Summarize succinctly	A+, A, A-	B+, B, B-	C+, C, C-	D	F
3. Examination	<ul style="list-style-type: none"> <li>•an adequate command of legal doctrines and case law;</li> <li>•a critical evaluation of current legal framework and</li> <li>• writing style</li> <li>•weaving the case precedents and arguments;</li> </ul>	A+, A, A-	B+, B, B-	C+, C, C-	D	F

### **Part III Other Information** (more details can be provided separately in the teaching plan)

#### **1. Keyword Syllabus**

*(An indication of the key topics of the course.)*

Classification of Property; Doctrines of Tenure and Estate; Law and Equity; Equitable Doctrines of Resulting Trust, Constructive Trust, Proprietary Estoppel and Part Performance; the rule of Walsh v. Lonsdale; Priorities: Doctrine of Notice and Land Registration Ordinance; Adverse Possession.

#### **Detailed Syllabus**

1. Traditional Classification of Property
2. Meaning of “Land”
3. Doctrines of Tenure and Estate
4. Land and Equity
5. Equitable Doctrine of Resulting Trust
6. Equitable Doctrine of Constructive Trust
7. Equitable Doctrine of Proprietary Estoppel
8. Equitable Doctrine of Part Performance
9. The Rule of *Walsh and Lonsdale*
10. Equitable Doctrine of Notice
11. Land Registration Ordinance
12. Adverse Possession

#### **2. Reading List**

##### **Text(s)**

There is no one book that students must have in order to study this course but information will be supplied regarding essential and recommended reading for each topic.