

# LW3607B: LAND LAW II

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## Effective Term

Semester B 2023/24

## Part I Course Overview

### Course Title

Land Law II

### Subject Code

LW - Law

### Course Number

3607B

### Academic Unit

School of Law (FL)

### College/School

School of Law (FL)

### Course Duration

One Semester

### Credit Units

3

### Level

B1, B2, B3, B4 - Bachelor's Degree

### Medium of Instruction

English

### Medium of Assessment

English

### Prerequisites

LW2602A Law of Contract I, LW2602B Law of Contract II, and LW3607A Land Law I

### Precursors

Nil

### Equivalent Courses

LW3107 Property Law (LLB) (Semester B)(from the old curriculum)  
LW3107A Property Law (AMLLB) (Semester B) (from the old curriculum)  
LW3607 Land Law (Semester B part)  
LW5607B Land Law II

### Exclusive Courses

Nil

## Part II Course Details

### Abstract

This course aims to help students –

- examine the nature, scope and significance of land law in Hong Kong
- develop a sound knowledge of the principles of land law in Hong Kong
- develop the following skills in relation to issues concerning land law in Hong Kong and other common law jurisdictions
  - 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
- develop awareness of the current academic discourse in land law

### Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Describe and explain basic principles of land law.	40	x	x	x
2	Analyse and critically evaluate: - land law issues of topical interest - the operation of the substantive rules of land law: o in terms of the objectives and practical implications of land law o their social and commercial contexts in relation to other branches of law.	25	x	x	x
3	Apply principles of land law to solve legal problems by: - researching issues of land law - analysing and solving problems in the area of land law - communicating their analysis clearly and precisely in their own words and in plain English.	25	x	x	x
4	Communicate ideas, arguments or advice clearly and coherently orally and in writing.	10	x	x	x

#### 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 real-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.

### Teaching and Learning Activities (TLAs)

	<b>TLAs</b>	<b>Brief Description</b>	<b>CILO No.</b>	<b>Hours/week (if applicable)</b>
1	Researching	Researching primary and secondary sources of law in order to understand principles of land law in their practical application. Students will acquire knowledge of principles of land law.	1	
2	Lectures	Students will receive guidance on basic research.	1	
3	Lectures	Students will be introduced to principles of land law in their practical application.	2	
4	Lectures	Students will learn how to solve problems by applying land law.	3	
5	Preparation for tutorials	Students will research issues of land law.	2, 3	
6	Preparation for tutorials	Students will be expected to research on the tutorial assignments, and be ready to contribute to discussion.	4	
7	Tutorials	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 effectiveness of the law in its current state.	1	
8	Tutorials	Students will be required to scrutinise, analyse and evaluate land law issues of topical interest.	2	
9	Tutorials	Students will be required to analyse fact situations and to apply case law precedents to ascertained facts.	3	

10	Tutorials	Students will be asked to discuss a particular tutorial question among themselves, with the tutor commenting on strengths and weaknesses of student contributions.	4	
11	Tutorials	Develop self-confidence in application of legal principles, advocacy skills and public speaking.	2, 4	
12	Tutorials	Foster students' growth through development of greater intellectual and interpersonal maturity	2, 4	

**Assessment Tasks / Activities (ATs)**

	ATs	CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1	<p>Participation:            -PowerPoint presentation (5%),            -Attendance (2%) and            -Proactiveness in addressing discussions in the tutorials (3%) (including but not limited to addressing various approaches in resolving the tutorial questions).</p> <p>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.</p>	1, 2, 3	10	

2	<p>Coursework Assessment: Essay/Fact Pattern Assignment This essay/fact pattern assignment will test the student's understanding of the fundamental principles of land law. Students are required to critically analyse land law principles and make conclusions on their findings. This exercise requires students to communicate ideas and the law clearly and coherently.</p>	1, 2, 4	30	
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**Continuous Assessment (%)**

40

**Examination (%)**

60

**Examination Duration (Hours)**

3

**Additional Information for ATs**

The use of Generative AI tools is not allowed.

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

To pass this course students must obtain an aggregate mark of 40% and a minimum of 30% 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 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.

**Assessment Rubrics (AR)****Assessment Task**

Continuous Assignment/s

**Criterion**

- an adequate command of legal doctrines and case law;
- a critical evaluation of current legal framework and
- writing style

- weaving the case precedents and arguments;
- confidence building and students' maturity

**Excellent (A+, A, A-)**

A+, A, A-

**Good (B+, B, B-)**

B+, B, B-

**Fair (C+, C, C-)**

C+, C, C-

**Marginal (D)**

D

**Failure (F)**

F

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**Assessment Task**

Examination

**Criterion**

- an adequate command of legal doctrines and case law;
- a critical evaluation of current legal framework and
- writing style
- weaving the case precedents and arguments;

**Excellent (A+, A, A-)**

A+, A, A-

**Good (B+, B, B-)**

B+, B, B-

**Fair (C+, C, C-)**

C+, C, C-

**Marginal (D)**

D

**Failure (F)**

F

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**Part III Other Information**

**Keyword Syllabus**

Detailed Syllabus

- a. Co-ownership
- b. Leases and Licences
- c. Mortgages and Other Securities
- d. Easements
- e. Land Covenants

- f. Deeds of Mutual Covenants
- g. Multi-storey Buildings Management
- h. New Territories Land and Chinese Customary Law

### Reading List

#### Compulsory Readings

Title	
1	There is no single text that students must have in order to study this course as students' texts on the subject are somewhat dated. Students must refer to the reference texts as well as the primary materials (i.e. case law and Ordinances), which will be specifically referenced in individual lectures.
2	S.H. Goo and Alice Lee, Land Law in Hong Kong, 4th Ed (LexisNexis, 2015)
3	Sarah Nield, Hong Kong Land Law, 2nd Ed (Longman, 2008)

#### Additional Readings

Title	
1	Nil