

Liverpool John Moores University

Title: EQUITY AND TRUSTS
Status: Definitive
Code: **6001LAWCL** (107897)
Version Start Date: 01-08-2020

Owning School/Faculty: Law
Teaching School/Faculty: Law

Team	Leader
Sarah Stirk	Y

Academic Level: FHEQ6
Credit Value: 24
Total Delivered Hours: 42
Total Learning Hours: 240
Private Study: 198

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	24
Seminar	6
Tutorial	10

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Exam	AS1	Exam - paper covering the second two-thirds of the course	66	2
Essay	AS2	Coursework - a problem question covering first third of the course	34	

Aims

Acquire a knowledge and understanding of the rules of equity and trusts. By application of statute, common law and equitable principles, students shall be able to distinguish between trusts, powers and gifts and the various methods of creating the same. Students shall be able to explore important specialist trust areas including

charities and pensions. They shall also be able to understand and apply the knowledge and rules, which govern the administration of trusts and trustees. Finally, students shall be able to understand the consequences of a breach of trust and of fiduciary duty, and the effective remedies available in this event.

Learning Outcomes

After completing the module the student should be able to:

- 1 Demonstrate a firm critical understanding of the basic concepts, values , principles and rules of equity
- 2 Demonstrate a critical ability to select key issues and to identify relevant primary and secondary sources of information
- 3 Demonstrate a well developed critical ability to use a wide variety of standard and legal and other electronic sources of information in their essays
- 4 Demonstrate a critical ability to apply gained legal knowledge to complex problems, to reflect upon and evaluate this application and to draw logical reasoned conclusions that are supported by argument and legal authority
- 5 Demonstrate a critical ability to evaluate and rank unfamiliar arguments in light of established statute, judicial decisions and authoritative legal commentary
- 6 Demonstrate a critical ability to present an argument in a way which is comprehensible to others and which addresses their particular concerns or questions
- 7 Develop their independent learning by taking responsibility for the preparation of work for seminars, examinations and management of personal study time and the use of a wide variety of information sources
- 8 Develop a critical ability to evaluate personal performance and to identify and act upon weaknesses in learning, use of resources and the presentation and formulation of legal argument

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

EXAM	1	2	3	4	6	7
ESSAY	1	2	3	4	5	8

Outline Syllabus

Trusts: Their nature, characteristics and role. Distinguishing powers, trust powers and gifts from other concepts. Analyse and evaluate the existence of a valid trust. Identify, analyse and evaluate the specific requirements for different types of trusts, particularly charitable trusts and pensions.

Trustees: Identify, distinguish and evaluate various duties and powers of trustees including investment, delegation and variation. Fiduciary liabilities of trustees to beneficiaries and strangers, constructive trustees, breach of trust and tracing.

Learning Activities

12 x 2 hour lectures and 6 x 1 tutorials

Notes

This course will first run in 2012/13. It is a required module for a qualifying law degree and the award of LLB.