

Module : **Land Law I**

Theme : **Private Law**

Credit Points : **7.5**

Aims

The module provides students with:

- An historical perspective on the evolution of Land Law
- A detailed knowledge of the rules of law, both statutory and precedent
- The capacity to trace current entitlements from those succeeded to contractually
- An understanding of legal and equitable interests in property.

Syllabus

- Historical and social introduction to Land Law including feudalism
- The concept of ownership and limitations on rights of ownership
- Role of land law in society
- Practical significance of land law
- Equity and its influence on land law

Estates:

- Freehold
 - Fee simple
 - Life estate
 - Fee tail
 - Words of Limitation
- Leasehold
 - Lease for a term certain
 - Periodic tenancy
 - Tenancy at will
 - Tenancy at sufferance
- Hybrid Estates
 - Perpetually renewable leases
 - Fee farm grants
- Settled Land
- Future Interests
- Co-Ownership
- Licences, incl. Rights of residence
- Registered and Unregistered Land
- Rules Against Remoteness incl. Rule Against Perpetuities
- Adverse Possession
- Succession

Workload

Contact	60 hours
Directed Learning Time	50 hours
Independent Learning Time	25 hours
Assessment Time	15 hours
Total	150 hours

Teaching and Learning Methods

Formal lectures and participative lectures incorporating question and answer sessions will form the main thrust of the delivery of the module. These will be supported by seminars and tutorials reviewing previous lecture and assignment based material. Students will be set assignments for completion on an individual basis. The process of reform of land law will also be considered throughout the module, with students engaging in critical analysis of various proposals for reform, as well as being encouraged to identify problems within the law and suggest potential solutions or reforms in relation to those problems.

Integration and Linkage

Certain legal principles need to be known in order for students to have a full understanding of Land Law. These linkages pertain to such legal modules as the Law of Contract and the Law of Torts. The linkages to tort principles include trespass to land, nuisance and occupiers' liability. While the linkages to contract principles will include the Statute of Frauds, specific performance and assignment.

Learning Outcomes

On successful completion of the module, students will be able to:

- Recount the historical background to land law
- Describe the estates in land law, including the ability to identify particular estates and analyse the validity of dispositions purporting to convey particular estates
- Analyse factual scenarios and be able to identify the estate, type of ownership, and particular rule of land law in question
- Discuss the rules of land law, including engaging in critical analysis of these rules and proposals for reform, where applicable.

Assessment

Assessment will take the form of a written assessment (30%) and a traditional closed-book examination (70%). The individual written assessments will either be analytical essay questions, or problem style questions requiring both expositive and analytical skills. The examination will consist of a mixture of critical and expositive essay questions and problem questions.

Reading List

Essential

Lyall, *Land Law in Ireland*, 2nd Edition, (2000, Dublin; Round Hall)

Wylie, *Irish Land Law*, 3rd Edition, (1997, Dublin; Butterworths)

Coughland, *Property Law*, 2nd Edition, (1999, Dublin; Gill and MacMillan)

Brady, *Succession Law in Ireland*, 2nd Edition, (1995, Dublin; Butterworths)

Keating, *The Construction of Wills*, (2001, Dublin; Round Hall)

Recommended

Delaney, *Equity and the Law of Trusts in Ireland*, 3rd Edition, (2003, Dublin; Thompson Round Hall)

Conway, *Co-Ownership of Land – Partition Actions and Remedies*, (2000, Dublin; Butterworths)

Cannon, *Land Law*, (2001, Dublin; Round Hall Nutshells)

Fitzgerald, *Land Registry Practice*, (1995, Dublin; Round Hall)