Description: Property Law A

<table>
<thead>
<tr>
<th>Subject</th>
<th>Cat-nbr</th>
<th>Class</th>
<th>Term</th>
<th>Mode</th>
<th>Units</th>
<th>Campus</th>
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<tr>
<td>LAW</td>
<td>3203</td>
<td>87204</td>
<td>1, 2009</td>
<td>ONC</td>
<td>1.00</td>
<td>Toowoomba</td>
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Academic group: FOBUS
Academic org: FOB010
Student contribution band: 3
ASCED code: 090900

STAFFING

Examiner: Rachel Baird
Moderator: Reid Mortensen

REQUISITES

Pre-requisite: LAW1201

OTHER REQUISITES

Students are required to have access to a personal computer, e-mail capabilities and Internet access to USQConnect. Current details of computer requirements can be found at <http://www.usq.edu.au/ict/students/standards/default.htm>.

SYNOPSIS

Possession and transfer of property of all types has been and continues to be a source of wealth and the primary activity of commercial and private endeavour. The legal rules that determine how these transactions take place are vital for ensuring stability. This course is designed to introduce students to the concepts of property and basic principles of property law. Students will gain an awareness of concepts of real and personal property and principles governing the possession, creation and transfer of interests in property, tenures and estates in co-ownership. The recognition of native title and subsequent case law and legislation will be examined, as will concepts of Crown land and leasehold.

OBJECTIVES

The course objectives define the student learning outcomes for a course. The assessment item/s that may be used to assess student achievement of an objective is/are shown in parentheses after each objective. On successful completion of this course, students should be able to:

1. identify, describe and evaluate the general policies underlying the law of property in Australia (Quiz, Examinations)
2. describe how law protects various property interests (Quiz, Examinations)
3. demonstrate an understanding of how property is created, transferred and secured (Quiz, Examinations)
4. outline the resolution of disputes involving competing proprietary interests (Quiz, Examinations)
5. understand the fragmentation of property rights and the existence of differing proprietary interests (Quiz, Examinations)
6. critically analyse the operation of native title (Examinations)
7. demonstrate satisfactory communication skills (Quiz, Examinations).

TOPICS

<table>
<thead>
<tr>
<th>Description</th>
<th>Weighting (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Concepts of property including the theoretical basis for property law, the historical development of property law and the distinction between real and personal property</td>
<td>10.00</td>
</tr>
<tr>
<td>2. Acquisition and disposal</td>
<td>5.00</td>
</tr>
<tr>
<td>3. Possession and ownership</td>
<td>10.00</td>
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<td>4. Bailment</td>
<td>10.00</td>
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<tr>
<td>5. Tenures and estates</td>
<td>10.00</td>
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<tr>
<td>6. Native title</td>
<td>10.00</td>
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<tr>
<td>7. Crown leasehold</td>
<td>10.00</td>
</tr>
<tr>
<td>8. Legal and equitable interests</td>
<td>10.00</td>
</tr>
<tr>
<td>9. Co-ownership</td>
<td>10.00</td>
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<tr>
<td>10. Priorities</td>
<td>10.00</td>
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<td>11. Nature of interests</td>
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TEXT and MATERIALS required to be PURCHASED or ACCESSED

ALL textbooks and materials are available for purchase from USQ BOOKSHOP (unless otherwise stated). Orders may be placed via secure internet, free fax 1800642453, phone 07 46312742 (within Australia), or mail. Overseas students should fax +61 7 46311743, or phone +61 7 46312742. For costs, further details, and internet ordering, use the 'Textbook Search' facility at http://bookshop.usq.edu.au click 'Semester', then enter your 'Course Code' (no spaces).

Land Title Act 1994 (Qld) Property Law Act 1974 (Qld) Native Title Act 1993 (Cth)
LAW3203 study package available from the USQ Bookshop.
REFERENCE MATERIALS

Reference materials are materials that, if accessed by students, may improve their knowledge and understanding of the material in the course and enrich their learning experience.


Queensland Conveyancing Law and Practice
Christensen, S, Conveyancing manual (Qld) [online subscription available through LBC]
Christensen, S Dixon & Wallace, A, Land titles law and practice [online subscription available through LBC]

STUDENT WORKLOAD REQUIREMENTS

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>HOURS</th>
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<tbody>
<tr>
<td>Assessments</td>
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<tr>
<td>Directed Study</td>
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<tr>
<td>Lectures and Tutorials</td>
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<td>Private Study</td>
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ASSESSMENT DETAILS

<table>
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<tr>
<th>Description</th>
<th>Marks out of</th>
<th>Wtg (%)</th>
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<tbody>
<tr>
<td>ONLINE QUIZ</td>
<td>20.00</td>
<td>20.00</td>
<td>09 Apr 2009</td>
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<tr>
<td>TAKE-HOME EXAMINATION</td>
<td>30.00</td>
<td>30.00</td>
<td>18 May 2009</td>
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<tr>
<td>2 HOUR EXAMINATION</td>
<td>50.00</td>
<td>50.00</td>
<td>END S1 (see note 1)</td>
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NOTES

1. The examination is scheduled to be held in the end-of-semester examination period. Students will be advised of the official examination date after the timetable has been finalised.
IMPORTANT ASSESSMENT INFORMATION

1 Attendance requirements:
   It is the students' responsibility to attend and participate appropriately in all activities
   (such as lectures, tutorials, laboratories and practical work) scheduled for them, and to
   study all material provided to them or required to be assessed by them to maximise their
   chance of meeting the objectives of the course and to be informed of course-related
   activities and administration.

2 Requirements for students to complete each assessment item satisfactorily:
   To satisfactorily complete an individual assessment item a student must achieve at least
   50% of the marks. (Depending upon the requirements in Statement 4 below, students may
   not have to satisfactorily complete each assessment item to receive a passing grade in this
   course.)

3 Penalties for late submission of required work:
   If students submit assignments after the due date without prior approval of the examiner,
   then a penalty of 5% of the total marks gained by the student for the assignment may apply
   for each working day late up to ten working days at which time a mark of zero may be
   recorded.

4 Requirements for student to be awarded a passing grade in the course:
   To be assured of receiving a passing grade a student must achieve at least 50% of the total
   weighted marks available for the course.

5 Method used to combine assessment results to attain final grade:
   The final grades for students will be assigned on the basis of the weighted aggregate of
   the marks (or grades) obtained for each of the summative assessment items in the course.

6 Examination information:
   This will be an open examination. Candidates may have access to any printed or written
   material and a calculator during the examination. In line with regulation 5.6.4.2 'Use of
   Electronic Devices during Examinations', laptop and notebook computers are not permitted.

7 Examination period when Deferred/Supplementary examinations will be held:
   Any Deferred or Supplementary examinations for this course will be held during the next
   examination period.

8 University Regulations:
   Students should read USQ Regulations 5.1 Definitions, 5.6 Assessment, and 5.10 Student
   Academic Misconduct for further information and to avoid actions which might contravene
   university regulations. These regulations can be found at
   <http://www.usq.edu.au/corporateservices/calendar/part5.htm>. Students should also read
   the Faculty of Business Policies and Procedures which can be found at

OTHER REQUIREMENTS

1 Computer, e-mail and Internet access: Students are required to have access to a personal
   computer, e-mail capabilities and Internet access to USQConnect. Current details of
   computer requirements can be found at