

LAWS 7067 PROPERTY LAW

Credit Points 10

Legacy Code 201055

Coordinator Kumar De Silva ([https://directory.westernsydney.edu.au/search/name/Kumar De Silva/](https://directory.westernsydney.edu.au/search/name/Kumar%20De%20Silva/))

Description Students will learn about the concept of property and the nature of property rights including the boundaries between property and other rights and the boundaries between different forms of property. The subject content includes the doctrine of tenure and estates, native title, and legal and equitable interests in land. Specific topics to be covered include personal property and securities, mortgages, leases, easements and profits a prendre, co-ownership, the Torrens system of statutory registration of interests in land, and the principles for resolving conflicting proprietary interests.

School Law

Discipline Law, Not Elsewhere Classified.

Student Contribution Band HECS Band 4 10cp

Level Postgraduate Coursework Level 7 subject

Pre-requisite(s) LAWS 7056 Fundamentals of Australian Law AND LAWS 7047 Contracts

Incompatible Subjects LAWS 3082 Property Law

Restrictions

Students must be enrolled in a postgraduate program.

Assumed Knowledge

The basic fundamentals of the Australian Legal System, including the doctrine of precedent and statutory interpretation, contracts and torts law.

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Critically analyse concepts and principles of Australian property law, procedure and policy, and their relationship to broader social, economic and political contexts.
2. Provide advice in relation to proprietary interests and disputes.
3. Display clear and logical arguments in responses addressing legal issues relating to property.
4. Assess ethical issues arising in property law practice and the professional responsibilities of lawyers in promoting justice and service to the community.
5. Evaluate the development of property law, including Australian Native Title law and its significance in a social justice framework.

Subject Content

- The concept of property and The nature and fragmentation of property rights
- Boundaries between different types of property and The protection of property rights
- Bailment
- Personal property and Securities
- Title, Possession and Limitation of actions
- The Doctrine of Tenures and estates

- Leases
- Mortgages
- Native title
- The Creation and Disposition of legal and Equitable interests
- Statutory Registration systems
- Easements and Profits A prendre
- Priorities between Competing proprietary interests
- Co-ownership

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

Type	Length	Percent	Threshold	Individual/Group Task
Quiz	Best 2 of 3 quizzes	20	N	Individual
Essay	2,000 words	35	N	Individual
Final Exam	24 hours	45	N	Individual

Prescribed Texts

- Gray et al, *Property Law in NSW* (LexisNexis, 5th ed, 2022).
- Edgeworth, Brendan, Christopher Rossiter, Pamela O'Connor, Andrew Godwin and Leon Terril, *Sackville & Neave Australian Property Law* (Lexis Nexis, 11th ed, 2020).

Teaching Periods

Autumn (2023)

Online

On-site

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View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS7067_23-AUT_ON_1#subjects)

Parramatta - Victoria Rd

On-site

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