LAWS2200

Property Law

Session 1, Weekday attendance, North Ryde 2020

Macquarie Law School

Contents

General Information

Unit convenor and teaching staff
Unit Convenor
Dr Henry Kha
henry.kha@mq.edu.au
Contact via Email
6 First Walk, Room 523
Friday, 4-5 pm

Credit points
10

Prerequisites
60cp including LAWS104 or LAWS1200

Corequisites

Co-badged status

Unit description
Property law lies at the heart of our legal system. Jeremy Bentham once aptly observed:
'Property and Law are born together and die together. Before laws were made there was no
property; take away law, and property ceases'. This unit provides a contextual analysis and
outline of the Anglo-Australian law on property and covers such topics as the history and
theory of property law; systems of title to, and resolution of competing interests in, property;
concurrent ownership of property; native title; and mortgages, leases, easement and
covenants in relation to real property.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are
available at https://www.mq.edu.au/study/calendar-of-dates

Learning Outcomes

On successful completion of this unit, you will be able to:

> **ULO2:** Critically analyse the way in which native title has been placed in the framework
> of Australian property law.
>
> **ULO1:** Explain the historical development of Australian property law and the major
> historical and theoretical principles that underlie it.
>
> **ULO3:** Critically analyse the major forms of title to land in Australia and appreciate the

fundamental difference between the creation and transfer of property rights in law and in equity.

ULO4: Critically analyse complex priority disputes between competing claimants to the same property through the application of doctrinal and procedural rules of law and equity.

Assessment Tasks

Coronavirus (COVID-19) Update

Assessment details are no longer provided here as a result of changes due to the Coronavirus (COVID-19) pandemic.

Students should consult iLearn for revised unit information.

Find out more about the Coronavirus (COVID-19) and potential impacts on staff and students

General Assessment Information

No late submissions will be accepted for timed assessments, such as the quiz and the time limited take home test.

Delivery and Resources

Coronavirus (COVID-19) Update

Any references to on-campus delivery below may no longer be relevant due to COVID-19.

Please check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Compulsory Text

Brendan Edgeworth, Chris Rossiter, Pamela O'Connor, Andrew Godwin, *Sackville & Neave Australian Property Law* (LexisNexis, 10th edition, 2016).

Lectures

Lectures will be delivered live and shall be recorded.

Tutorials

Weekly tutorials will be held for weekday attendance students. Attending the tutorials are beneficial for achieving the learning outcomes. Class participation shall be assessed in the tutorials.

Online Content

Online content can be accessed on iLearn. Personal computer and Internet access are required.

Unit Schedule

Coronavirus (COVID-19) Update

The unit schedule/topics and any references to on-campus delivery below may no longer be relevant due to COVID-19. Please consult iLearn for latest details, and check here for updated delivery information: https://ask.mq.edu.au/account/pub/display/unit_status

Week	Week Commencing	Lecture Topic	Tutorial Topic
1	24-Feb	Unit Introduction & the Concept of Property	**NO TUTORIAL**
2	2-Mar	Fundamental Property Principles & Native Title	The Concept of Property
3	9-Mar	Land, Fixtures & Chattels	Fundamental Property Principles & Native Title
4	16-Mar	Common Law & Equitable Interests in Land	Land, Fixtures & Chattels
5	23-Mar	Old System Title Priorities	Common Law & Equitable Interests in Land
6	30-Mar	Torrens Title & Indefeasibility	Old System Title Priorities
7	6-Apr	Torrens Title Priorities	Torrens Title & Indefeasibility
8	27-Apr	Co-Ownership & Strata Title	Torrens Title Priorities
9	4-May	Leases	Co-Ownership & Strata Title
10	11-May	Mortgages	Leases
11	18-May	Easements	Mortgages
12	25-May	Freehold Covenants	Easements
13	1-Jun	**NO LECTURE**	Freehold Covenants

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- Academic Appeals Policy
- Academic Integrity Policy
- Academic Progression Policy
- Assessment Policy
- Fitness to Practice Procedure
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

Students seeking more policy resources can visit the Student Policy Gateway (https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/study/getting-started/student-conduct

Results

Results published on platform other than eStudent, (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in eStudent. For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit http://students.mq.edu.au/support/

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- Getting help with your assignment
- Workshops
- StudyWise
- Academic Integrity Module

The Library provides online and face to face support to help you find and use relevant information resources.

- Subject and Research Guides

- Ask a Librarian

Student Services and Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the Acceptable Use of IT Resources Policy. The policy applies to all who connect to the MQ network including students.