



## Module Definition Form (MDF)

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| <b>Module code: MOD010544</b> | <b>Version: 1 Date Amended: 09/Jul/2024</b> |
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| <b>1. Module Title</b>       |
| Equity and The Law of Trusts |

|                          |
|--------------------------|
| <b>2a. Module Leader</b> |
| Andreas Dimopoulos       |

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|---|
| <b>2b. School</b>   |
| Faculty of Business Innovation and Entrepreneurship at ARU Peterborough |

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| <b>2c. Faculty</b> |
| ARU Peterborough   |

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| <b>3a. Level</b> |
| 5                |

|                        |
|------------------------|
| <b>3b. Module Type</b> |
| Standard (fine graded) |

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| <b>4a. Credits</b> |
| 30                 |

|                        |
|------------------------|
| <b>4b. Study Hours</b> |
| 300                    |

| <b>5. Restrictions</b>                             |   |             |           |
|--|---|-------------|-----------|
| Type   | Module Code   | Module Name | Condition |
| Pre-requisites:                                    | None  |             |           |
| Co-requisites:                                     | None  |             |           |
| Exclusions:  | None  |             |           |
| <b>Courses to which this module is restricted:</b> | ARP: LLB (Hons) Law U1434; LLB (Hons) Law U1436 Law EXD |             |           |

## LEARNING, TEACHING AND ASSESSMENT INFORMATION

### 6a. Module Description

You will be introduced to the concept of property and proprietary rights, as they are recognised and protected in equity, and explore the nature of the trust. You will study an historical account of the development of and distinction between law and equity before examining the nature of equitable rights and remedies. Over the module you will gain a sound knowledge and understanding of equity and trusts law, developing your critical analysis to suggest reasoned solutions to factual problems. Trusts are used in a wide array of circumstances therefore this module considers the importance of equity and trusts in a legal practice, possibly as a commercial or family practitioner, of property, conveyancing, or in relation to wills and the administration of estates. You will also consider fiduciary relationships, charitable status and trustee duties.

In addition to studying equity and the law of trusts as an academic component of legal studies, this module is designed to reflect some elements required by the Bar Standards Board (BSB) and Solicitors Regulation Authority (SRA).

### 6b. Outline Content

In addition to a rigorous exploration of equity and trusts as an academic component of legal studies, this module is designed to reflect necessary elements required by the Bar Standards Board (BSB) and Solicitors Regulation Authority (SRA). Professional Conduct is pervasive across this module.

Indicative content aligns with requirements of the BSB and SRA, taking into consideration developments by, and requirements of, these professional bodies insofar as possible. Content will therefore include, as a minimum:

- Core principles of trust law
- Creation and requirements of express trusts
- Beneficial entitlement
- The distinction between charitable trusts and non-charitable purpose trusts
- Resulting trusts
- Trusts of the family home
- Liability of strangers to the trust
- The fiduciary relationship and its obligations
- Trustees (for example: appointment, removal, powers and duties)
- Trustees' liability
- The nature of equitable remedies and the availability of tracing in equity

Opinion writing and legal research skills are key to your success in this module. You will also apply relevant core legal principles and rules appropriately and effectively to realistic client-based and ethical problems and situations. You will be supported to:

- Accurately identify issues
- Use appropriate methods and resources, and ensures that sources are up to date
- Cite accurately and appropriately
- Present the research trail clearly

As this module fulfils part of the seven Foundations of Legal Knowledge, in alignment with the Bar Standards Board's requirement compensation is not permitted for this module.

### 6c. Key Texts/Literature

The reading list to support this module is available at: <https://readinglists.aru.ac.uk/>

### 6d. Specialist Learning Resources

None

| <b>7. Learning Outcomes (threshold standards)</b> |   |   |
|---|---|---|
| <b>No.</b>  | <b>Type</b>   | <b>On successful completion of this module the student will be expected to be able to:</b>  |
| 1   | Knowledge and Understanding                                 | Demonstrate a sound knowledge and understanding of equity and of the law of trusts  |
| 2   | Intellectual, practical, affective and transferrable skills | Identify and locate relevant and appropriate electronic and paper-based library and other resources, including primary source material  |
| 3   | Intellectual, practical, affective and transferrable skills | Apply equitable principles and the law of trusts to factual situations of moderate complexity so as to identify the core issues involved and suggest appropriate, reasoned, typical solutions |
| 4   | Intellectual, practical, affective and transferrable skills | With limited guidance, critically evaluate equity and the law of trusts and its operation within contemporary society   |
| 5   | Intellectual, practical, affective and transferrable skills | Present clearly and appropriately a piece of written advice on a legal issue  |
| 6   | Intellectual, practical, affective and transferrable skills | Apply simple numeracy skills in the context of equity and trusts  |

| <b>8a. Module Occurrence to which this MDF Refers</b> |                   |   |                 |                         |
|---|-------------------|---|-----------------|-------------------------|
| <b>Year</b>   | <b>Occurrence</b> | <b>Period</b>                               | <b>Location</b> | <b>Mode of Delivery</b> |
| 2025/6  | ZZF               | Template For Face To Face Learning Delivery |                 | Face to Face            |

| <b>8b. Learning Activities for the above Module Occurrence</b> |              |                          |   |
|--|--------------|--------------------------|---|
| <b>Learning Activities</b>                                     | <b>Hours</b> | <b>Learning Outcomes</b> | <b>Details of Duration, frequency and other comments</b>  |
| Lectures   | 0            | N/A                      | N/A   |
| Other teacher managed learning                                 | 51           | 1-6                      | 2 x 1 hr tutor-led workshop OR 2 x 1 hour lectures x 12 weeks minimum (weeks 1-12) AND 2 x 1hr student-led workshop OR x 2 x 1 hour tutorial x 10 weeks minimum (weeks 2-11) PLUS 2 x twenty minute screencasts x 10 weeks minimum (weeks 1-10) |
| Student managed learning                                       | 249          | 1-6                      | To include such things as engaging online discussion boards, VLE exercises, private study (guided and autonomous), tutorial preparation, assessment preparation and completion.   |
| <b>TOTAL:</b>  | <b>300</b>   |                          |   |

| <b>9. Assessment for the above Module Occurrence</b>                |                          |                          |                      |                                |                            |
|---|--------------------------|--------------------------|----------------------|--------------------------------|----------------------------|
| <b>Assessment No.</b>   | <b>Assessment Method</b> | <b>Learning Outcomes</b> | <b>Weighting (%)</b> | <b>Fine Grade or Pass/Fail</b> | <b>Qualifying Mark (%)</b> |
| 010   | Coursework               | 1,2,4,5                  | 60 (%)               | Fine Grade                     | 30 (%)                     |
| <b>(Up to) 3000 word written advisory opinion and research log.</b> |                          |                          |                      |                                |                            |
| <b>Assessment No.</b>   | <b>Assessment Method</b> | <b>Learning Outcomes</b> | <b>Weighting (%)</b> | <b>Fine Grade or Pass/Fail</b> | <b>Qualifying Mark (%)</b> |
| 011   | Coursework               | 1,2,3,6                  | 40 (%)               | Fine Grade                     | 30 (%)                     |
| <b>(Up to) 2000 word Problem Solving Exercise(s)</b>                |                          |                          |                      |                                |                            |

**In order to pass this module, students are required to achieve an overall mark of 40% (for modules at levels 3, 4, 5 and 6) or 50% (for modules at level 7\*).**

**In addition, students are required to:**

- (a) achieve the qualifying mark for each element of fine graded assessment as specified above**
- (b) pass any pass/fail elements**

**[\* the pass mark of 50% applies for all module occurrences from the academic year 2024/25 – see Section 3a of this MDF to check the level of the module and Section 8a of this MDF to check the academic year]**