1. What is this course about?

1.1 Description
This course builds on doctrines encountered in contracts, property and corporate and partnership law and assumes familiarity with them. You consider how and why equity developed; essential concepts and doctrines including fiduciary relationships and breach of confidence along with third party liability and equitable remedies. Trusts are equity’s contribution to the law of property and their versatility means they remain important for estate planning, commercial and charitable purposes. You consider types of trusts, their creation and rights and obligations that follow from trusteeship.

1.2 Field trips, WIL placements or activities required by professional accreditation

<table>
<thead>
<tr>
<th>Activity</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

2. What level is this course?

300 level Graduate - Independent application of graduate knowledge and skills. Meets AQF and professional requirements. May require pre-requisites and developing level knowledge/skills. Normally taken in the 3rd or 4th year of an undergraduate program.

3. What is the unit value of this course?

12 units
4. How does this course contribute to my learning?

<table>
<thead>
<tr>
<th>Specific Learning Outcomes</th>
<th>Assessment tasks</th>
<th>Graduate Qualities or Professional Standards mapping</th>
</tr>
</thead>
<tbody>
<tr>
<td>On successful completion of this course, you should be able to:</td>
<td>You will be assessed on the learning outcomes in task/s:</td>
<td>Completing these tasks successfully will contribute to:</td>
</tr>
<tr>
<td>Demonstrate knowledge of key concepts in equity and trusts.</td>
<td>1, 2 and 3</td>
<td>Knowledgeable Empowered</td>
</tr>
<tr>
<td>Identify and critically evaluate the legal, policy and ethical issues that arise in equity or trusts.</td>
<td>2 and 3</td>
<td>Creative and critical thinkers Ethical</td>
</tr>
<tr>
<td>Apply your knowledge of the relevant principles to devise solutions to legal problems and communicate your response using appropriate language.</td>
<td>2 and 3</td>
<td>Empowered</td>
</tr>
</tbody>
</table>

5. Am I eligible to enrol in this course?
Refer to the USC Glossary of terms for definitions of “pre-requisites, co-requisites and anti-requisites”.

5.1 Enrolment restrictions
Enrolled in any Law program

5.2 Pre-requisites
LAW204

5.3 Co-requisites
LAW205

5.4 Anti-requisites
Nil

5.5 Specific assumed prior knowledge and skills (where applicable)
Nil

6. How am I going to be assessed?

6.1 Grading scale
Standard – High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL)

6.2 Details of early feedback on progress
You will have a practice quiz in week 3 to ensure you understand the requirements of the quizzes.
# Assessment tasks

<table>
<thead>
<tr>
<th>Task No.</th>
<th>Assessment Product</th>
<th>Individual or Group</th>
<th>Weighting %</th>
<th>What is the duration / length?</th>
<th>When should I submit?</th>
<th>Where should I submit it?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Quiz/zes</td>
<td>Individual</td>
<td>15%</td>
<td>3 multiple choice quizzes</td>
<td>Week 5, 7 and 9</td>
<td>Online Assignment Submission</td>
</tr>
<tr>
<td>2</td>
<td>Written Piece</td>
<td>Individual</td>
<td>35%</td>
<td>1500 words</td>
<td>Week 9, Monday 10pm</td>
<td>Online Assignment Submission with Plagiarism check</td>
</tr>
<tr>
<td>3</td>
<td>Examination</td>
<td>Individual</td>
<td>50%</td>
<td>2 hours plus 30 mins reading time</td>
<td>Central examination period</td>
<td>Exam Venue</td>
</tr>
</tbody>
</table>

## Assessment 1: Pre-tutorial Quizzes

**Goal:**

a) Ensure required readings are completed.
b) Develop a basic understanding of equitable concepts prior to the tutorials to provide a foundation for answering tutorial questions and encourage class discussion.
c) Allow more time in tutorials for a deeper analysis of the application of equitable principles and the development of legal arguments.

**Product:** Quiz/zes

**Format:** There will be four multiple choice quizzes, each with five questions. The first quiz will be a practice quiz and will not be assessable. The remaining three quizzes are worth 5% each.

**Criteria:**
- Demonstration of knowledge
- Critical thinking, analysis and argument
- Communication and expression
- Referencing

*Note: More detailed marking criteria will be posted on Blackboard and will be discussed in class.*

## Assessment Task 2: Legal Advice

**Goal:**
The goal of this assessment is to demonstrate your understanding of the principles of equity and to provide sound advice to a legal problem.

**Product:** Written Piece

**Format:** This is a 1,500 (+/- 10%) word individual legal advice written as in a professional context. Further advice on format and other requirements will be provided on Blackboard. References to be correctly formatted using AGLC format. Due by Monday, Week 9, 10pm.

**Criteria:**
- Demonstration of knowledge
- Critical thinking, analysis and argument
- Communication and expression
- Referencing

*Note: More detailed marking criteria will be posted on Blackboard and will be discussed in class.*
Assessment Task 3: Open book examination

<table>
<thead>
<tr>
<th>Goal:</th>
<th>To test your understanding of the principles and concepts of Equity and Trusts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Product:</td>
<td>Examination</td>
</tr>
<tr>
<td>Format:</td>
<td>Open book examination 2-hours writing time and 30-minutes perusal.</td>
</tr>
<tr>
<td>Criteria:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Identifies relevant legal issues</td>
</tr>
<tr>
<td></td>
<td>• Explains the relevant legal principles derived from statute or case law</td>
</tr>
<tr>
<td></td>
<td>• Applies legal reasoning to the problem</td>
</tr>
<tr>
<td></td>
<td>• Reaches arguable conclusions</td>
</tr>
<tr>
<td></td>
<td>• Clarity and organisation of answer</td>
</tr>
</tbody>
</table>

7. Directed study hours

The directed study hours listed here are a portion of the workload for this course. A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Directed study hours may vary by location. Student workload is calculated at 12.5 learning hours per one unit.

<table>
<thead>
<tr>
<th>Location:</th>
<th>Directed study hours for location:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sippy Downs</td>
<td>On campus lecture: 2 hours per week (weeks 1-6, 8-13)</td>
</tr>
<tr>
<td></td>
<td>On campus tutorial: 1 hour per week (weeks 2-6, 8-13)</td>
</tr>
</tbody>
</table>

* Week 7: Law OUT LOUD! School Activities and Competition Week

8. What resources do I need to undertake this course?

Please note that course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Blackboard site. Please log in as soon as possible.

8.1 Prescribed text(s) or course reader

Please note that you need to have regular access to the resource(s) listed below as they are required:

<table>
<thead>
<tr>
<th>Author</th>
<th>Year</th>
<th>Title</th>
<th>Publisher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dal Pont and Cockburn</td>
<td>2013</td>
<td><em>Equity and Trusts in Principle</em></td>
<td>Thomson Reuters</td>
</tr>
</tbody>
</table>

8.2 Specific requirements

Nil

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility as a student to review course material, search online, discuss with lecturers and peers, and understand the health and safety risks associated with your specific course of study. It is also your responsibility to familiarise yourself with the University’s general health and safety principles by reviewing the online Health Safety and Wellbeing training module for students, and following the instructions of the University staff.
10. **What administrative information is relevant to this course?**

10.1 **Assessment: Academic Integrity**
Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Blackboard, are electronically checked through SafeAssign. This software allows for text comparisons to be made between your submitted assessment item and all other work that SafeAssign has access to.

10.2 **Assessment: Additional requirements**

**Eligibility for Supplementary Assessment**
Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

a) The final mark is in the percentage range 47% to 49.4%
b) The course is graded using the Standard Grading scale
c) You have not failed an assessment task in the course due to academic misconduct

10.3 **Assessment: Submission penalties**
Late submission of assessment tasks will be penalised at the following maximum rate:

- 5% (of the assessment task’s identified value) per day for the first two days from the date identified as the due date for the assessment task.
- 10% (of the assessment task’s identified value) for the third day
- 20% (of the assessment task’s identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.
- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task.

Weekdays and weekends are included in the calculation of days late.

To request an extension, you must contact your Course Coordinator and supply the required documentation to negotiate an outcome.

10.4 **Study help**
In the first instance, you should contact your tutor, then the Course Coordinator. Additional assistance is provided to all students through Academic Skills Advisers. To book an appointment or find a drop-in session go to [Student Hub](mailto:Student Hub).

Contact Student Central for further assistance: +61 7 5430 2890 or [studentcentral@usc.edu.au](mailto:studentcentral@usc.edu.au)
10.5 Wellbeing Services
Student Wellbeing Support Staff are available to assist on a wide range of personal, academic, social and psychological matters to foster positive mental health and wellbeing for your success. Student Wellbeing is comprised of professionally qualified staff in counselling, health and disability Services.

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, mental health issue, learning disorder, injury or illness, or you are a primary carer for someone with a disability, AccessAbility Services can provide assistance, advocacy and reasonable academic adjustments.

To book an appointment with either service go to Student Hub, email studentwellbeing@usc.edu.au or accessibility@usc.edu.au or call 07 5430 1226

10.6 Links to relevant University policy and procedures
For more information on Academic Learning & Teaching categories including:
- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

Visit the USC website:
http://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching

10.7 General Enquiries
In person:
- USC Sunshine Coast - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- USC Moreton Bay – Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- USC SouthBank - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- USC Gympie - Student Central, 71 Cartwright Road, Gympie
- USC Fraser Coast - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- USC Caboolture - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890
Email: studentcentral@usc.edu.au