



UNSW Course Outline

JURD7435 Conveyancing - 2024

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General Course Information

Course Code : JURD7435

Year : 2024

Term : Term 3

Teaching Period : T3

Is a multi-term course? : No

Faculty : Faculty of Law and Justice

Academic Unit : School of Private and Commercial Law

Delivery Mode : In Person

Delivery Format : Standard

Delivery Location : Kensington

Campus : Sydney

Study Level : Postgraduate

Units of Credit : 6

Useful Links

[Handbook Class Timetable](#)

Course Details & Outcomes

Course Description

The law of vendor and purchaser with special emphasis on the standard form contract for sale of land in use in New South Wales. The course aims to benefit those intending to practise in any field of land law and property law, whether in large, medium or small legal firms, city, suburban or country. The course focuses upon both commercial and residential contracts. The course will

also benefit those at the bar practising in the property and equity area.

Main topics:

- whether a binding contract of sale exists,
- vendor disclosure and anti-gazumping legislation,
- the requirements of the Statute of Frauds, exchange of contracts,
- proper preparation of the contract of sale,
- detailed examination of the standard Law Society approved contract of sale,
- the law concerning notices to complete and other remedies available to vendor and purchaser.

Course Aims

This course aims to equip students with a working understanding of the conveyancing process, beginning with the exchange of contracts through until the settlement and registration of the transfer. In addition, it is the aim of this course that students will acquire an appreciation of the legal issues that may arise prior to settlement and how those issues may impact either the vendor, the purchaser or both parties to the conveyancing transaction, and provide students with the opportunity to provide solutions to these legal problems.

Relationship to Other Courses

This course builds upon content covered in the courses LAWS1150/JURD7150 Principles of Private Law, LAWS1075/JURD7175 Contracts, LAWS2385/JURD7285 Equity and Trusts and LAWS2383/JURD7283 Land Law. You will draw upon your previous studies in examining the formation of contracts for the sale of land, the application of the law of misrepresentation to vendor disclosure, the contractual and equitable remedies applicable to a contract for sale of land as well as your knowledge of the interests in real property which a purchaser may be subject to.

Course Learning Outcomes

| Course Learning Outcomes |
|--|
| CLO1 : Apply principles of land law and property law to commercial and residential contracts. (PLOs 7, 8) |
| CLO2 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation. (PLO 2, 7) |
| CLO3 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately. (PLOs 4, 7, 9) |
| CLO4 : Produce scholarly writing that demonstrates: (1) acquaintance with legal and social theoretical terminologies and styles; (2) analysis, synthesis, critical judgment, reflection and evaluation; and (3) cites a range of practical and scholarly interdisciplinary research. (PLOs 2, 3) |
| CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 2, 3) |
| CLO6 : Draft a basic commercial and residential contract whose terms are accurate and unambiguous. (PLOs 2, 7) |
| CLO7 : Demonstrate self-management through self-assessment of capabilities and performance and use of previous feedback received in the course. (PLO 12) |

| Course Learning Outcomes | Assessment Item |
|--|--|
| CLO1 : Apply principles of land law and property law to commercial and residential contracts. (PLOs 7, 8) | <ul style="list-style-type: none"> • Viva Voce • Exam |
| CLO2 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation. (PLO 2, 7) | <ul style="list-style-type: none"> • Exam |
| CLO3 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately. (PLOs 4, 7, 9) | <ul style="list-style-type: none"> • Exam |
| CLO4 : Produce scholarly writing that demonstrates: (1) acquaintance with legal and social theoretical terminologies and styles; (2) analysis, synthesis, critical judgment, reflection and evaluation; and (3) cites a range of practical and scholarly interdisciplinary research. (PLOs 2, 3) | <ul style="list-style-type: none"> • Exam |
| CLO5 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 2, 3) | <ul style="list-style-type: none"> • Class Participation • Viva Voce |
| CLO6 : Draft a basic commercial and residential contract whose terms are accurate and unambiguous. (PLOs 2, 7) | |
| CLO7 : Demonstrate self-management through self-assessment of capabilities and performance and use of previous feedback received in the course. (PLO 12) | <ul style="list-style-type: none"> • Class Participation |

Learning and Teaching Technologies

Moodle - Learning Management System

Learning and Teaching in this course

The classes in this course are taught in two x two hr/week seminars (4 hours total per week). These seminars will interrogate the assigned readings that you have completed and students will then critically engage with that content during class discussions.

Additional Course Information

N/A.

Assessments

Assessment Structure

| Assessment Item | Weight | Relevant Dates |
|--|--------|--|
| Class Participation Assessment Format: Individual | 20% | Start Date: See Moodle Due Date: See Moodle |
| Viva Voce Assessment Format: Individual | 30% | Start Date: See Moodle Due Date: See Moodle |
| Exam Assessment Format: Individual | 50% | Start Date: See Moodle Due Date: See Moodle |

Assessment Details

Class Participation

Assessment Overview

This assessment requires you to prepare for and actively engage in class-based and online activities.

Course Learning Outcomes

- CL05 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 2, 3)
- CL07 : Demonstrate self-management through self-assessment of capabilities and performance and use of previous feedback received in the course. (PLO 12)

Detailed Assessment Description

Class participation is utilised to encourage students to do the readings and prepare fully for class. Participation also encourages students to learn, think, analyse, reflect and evaluate the

materials prior to class and assists students in the development of their capacity to present oral arguments.

Generative AI Permission Level

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

Viva Voce

Assessment Overview

In this oral assessment students are required to demonstrate their understanding of the key concepts, cases, judgments and discussions covered in classes.

Course Learning Outcomes

- CL01 : Apply principles of land law and property law to commercial and residential contracts. (PLOs 7, 8)
- CL05 : Demonstrate effective oral communication skills by discussing and debating course concepts in a scholarly, reflective and respectful manner. (PLOs 2, 3)

Detailed Assessment Description

This oral assessment focuses upon the content covered in the first four weeks of the course. Students are required to answer a series of questions and demonstrate their knowledge and understanding of the course materials. Students will not be able to refer to notes or other materials during the course of the assessment.

Generative AI Permission Level

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

Exam

Assessment Overview

This assessment requires you to complete a take-home written examination.

Course Learning Outcomes

- CLO1 : Apply principles of land law and property law to commercial and residential contracts. (PLOs 7, 8)
- CLO2 : Demonstrate effective legal research and written communication skills by articulating legal concepts and analysis clearly and persuasively and with appropriate citation. (PLO 2, 7)
- CLO3 : Demonstrate effective written communication skills by articulating legal concepts clearly, persuasively and appropriately. (PLOs 4, 7, 9)
- CLO4 : Produce scholarly writing that demonstrates: (1) acquaintance with legal and social theoretical terminologies and styles; (2) analysis, synthesis, critical judgment, reflection and evaluation; and (3) cites a range of practical and scholarly interdisciplinary research. (PLOs 2, 3)

Detailed Assessment Description

This final assessment is a take home examination which examines all of the content covered in the course.

Generative AI Permission Level

No Assistance

This assessment is designed for you to complete without the use of any generative AI. You are not permitted to use any generative AI tools, software or service to search for or generate information or answers.

For more information on Generative AI and permitted use please see [here](#).

General Assessment Information

For further information on generative AI use in the Faculty of Law & Justice, please review the section titled 'Academic Honesty and Plagiarism' under the 'Other Useful Information' tab.

Full assessment details are available on the course Moodle page.

Grading Basis

Standard

Requirements to pass course

Students must achieve a total mark of 50% or more to pass the course.

Course Schedule

| Teaching Week/Module | Activity Type | Content |
|--------------------------------------|---------------|--|
| Week 1 : 9 September - 15 September | Seminar | Formation of Land Contracts |
| | Seminar | The Conveyancing Process and the Standard Contract |
| Week 2 : 16 September - 22 September | Seminar | The Vendor's Duty of Disclosure |
| | Seminar | Subject Matter of the Sale and Title Defects |
| Week 3 : 23 September - 29 September | Seminar | Legality of Structures and Uses |
| | Seminar | Requisitions |
| Week 4 : 30 September - 6 October | Seminar | Errors and Misdescriptions |
| | Seminar | Vendor's Warranties and Affectations |
| Week 5 : 7 October - 13 October | Seminar | Viva Voces |
| Week 6 : 14 October - 20 October | Other | Reading week - no classes |
| Week 7 : 21 October - 27 October | Seminar | Vacant Possession |
| | Seminar | Rights Pending Completion and Adjustments |
| Week 8 : 28 October - 3 November | Seminar | Time |
| | Seminar | Termination and Damages |
| Week 9 : 4 November - 10 November | Seminar | Specific Performance and Injunctions |
| | Seminar | Deposits and Forfeiture of Deposits |
| Week 10 : 11 November - 17 November | Seminar | Rectification |
| | Seminar | Revision Class |

Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure** and **Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

Course Resources

Prescribed Resources

Patricia Lane, Simon Chapple and Derwent Coshott, *Sale of Land in NSW Commentary and Materials* (Thomson Reuters, 6th ed, 2018).

Course Evaluation and Development

As part of the myExperience process, your student evaluations on various aspects of the course are graded; the Course Convenor prepares a summary report for the Head of School. Any problem areas are identified for remedial action, and ideas for making improvements to the

course are noted for action the next time that the course is run.

Staff Details

| Position | Name | Email | Location | Phone | Availability | Equitable Learning Services Contact | Primary Contact |
|----------|--------------------|-------|--------------------------|-------|--------------|-------------------------------------|-----------------|
| Convenor | Christopher Pearce | | Faculty of Law & Justice | N/A | by email | Yes | Yes |

Other Useful Information

Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.
- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations

at any time. If your course is not here, please visit [Handbook](#) for information.

Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

Generative AI

Using generative AI to conduct research or to organise your argument is not prohibited but is not encouraged. We note that the output from generative AI tools is often incorrect and almost always more superficial than is required to achieve a passing grade. Moreover, any substantive errors in the assessment, such as inappropriate references or incorrect statements, will be regarded negatively by the marker, just as they would if not generated by AI. You should limit your use of AI to simple editorial assistance, such as standard editing and referencing functions in word processing software in the creation of your submission. You must not use any functions that generate or paraphrase passages of text, whether based on your own work or not. If your marker or Turnitin identify the use of generative AI in the text of your assessment submission, including the use of paraphrasing software, your assessment may be referred to the Student Integrity team for investigation. Please go to the link for further information about [referencing and acknowledging the use of artificial intelligence tools](#).

Prohibition on use of translation apps

With limited exceptions for language study, the course of study and assessment in Australian universities must be in English (Higher Education Standard Framework (Threshold Standards) 2021 1.5 6(c)).

In Law & Justice many classes have assessable class participation. This must be in English. **Use of a translation device to assist with contributions to class discussion is not allowed.** Similar

prohibitions apply to use of any other generative text app that is not specifically permitted by the class teacher. However, use of translation software to assist a student to understand material outside of class, or to assist with preparation for assessment is generally permitted.

Further considerations apply to LLB and JD students. International lawyers who seek to be admitted in NSW must satisfy an English proficiency test. That test is expressed as equivalent to IELTS scores of 7.0 -8.0 across the tests. It is assumed that UNSW graduates are at or above those levels of English proficiency. Use of translation apps can impede the attainment of that level of proficiency. Students should avoid behaviours that put them at risk of breach of legal requirements which can have significant consequences, including potential consequences for your admission as a lawyer.

Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your

teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

Faculty-specific Information

Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.