

Course Title: **Trusts and Fiduciary Obligations**

Course Code: **LAWS750**

Descriptor Start Date: **01/01/2021**

POINTS: **15.00**

LEVEL: **7**

PREREQUISITE/S: **75 points from Part II including LAWS605**

COREQUISITE/S: **None**

RESTRICTION/S: **417562**

LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

Total learning hours: 150

PRESCRIPTOR

Examines how equitable principles, doctrines and remedies affect business and commercial activities and to examine the commercial use of trusts.

LEARNING OUTCOMES

1. Recognise the relevance to, and effect on, business and commercial activity of equitable principles, doctrines and remedies, and trust concepts.
2. Critically examine the nature and function of trusts and fiduciary obligations generally and in a commercial context.
3. Evaluate current issues and problems at both a doctrinal and conceptual level.
4. Apply the relevant equitable and trust law principles to resolve contemporary, commercial-based factual problems.

Disclaimer: Course descriptors may be amended between teaching periods/semesters

CONTENT

The law of Equity and Trusts plays a fundamental role in structuring and regulating business and commercial activities. This course examines that role and falls naturally into two parts.

First, it examines equitable doctrines and principles that affect commercial activity and looks at:
History and nature of Equity;
Doctrines and standards of conduct which affect parties to commercial dealings
Equitable remedies in a commercial context;
Current issues in relation to personal and proprietary remedies and third party liability.

Secondly, it examines the law of Trusts at an advanced level and looks at:
The nature and function of trusts in commerce;
The nature of trusteeship and the 'irreducible' core of trustee obligations, and exemption clauses;
Fiduciary obligations and doctrines;
Financial transactions and types of collective investment in which trusts and equitable concepts are used.

LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops & online learning.

ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Final Examination: Maximum of	100.00	-
Coursework: Maximum of	30.00	-

Grade Map	MAP1
	A+ A A- Pass with Distinction
	B+ B B- Pass with Merit
	C+ C C- Pass
	D Fail

Overall requirement/s to pass the course:

LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: www.ubs.co.nz

For further information, contact: Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

Principal Programme: AK1008, Bachelor of Laws

Related Programme/s: AK1009 LLB(Hons), AK2601 CertLegalSt

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