



# **LAWS12066 *Land Law***

## **Term 2 - 2024**

Profile information current as at 13/07/2025 05:17 pm

All details in this unit profile for LAWS12066 have been officially approved by CQUniversity and represent a learning partnership between the University and you (our student). The information will not be changed unless absolutely necessary and any change will be clearly indicated by an approved correction included in the profile.

## General Information

### Overview

This unit Land Law LAWS12066 meets the LPAB requirements for property law. It has a specific focus on the law of real property in Queensland. It covers the following themes: The concept of land; land registration systems with an emphasis on the Torrens system and the impact of e-technology pursuant to the Land Title Act 1994 (Qld); the principles for resolving priority disputes in Torrens title land under the Land Title Act 1994 (Qld) with a focus on legal vs equitable interests; future interests and the rule against perpetuities under the Property Law Act 1974 (Qld) and the general law; concurrent ownership; leases; mortgages; easements; freehold covenants and profit a prendres. The unit also includes a discussion of native title; possession, seisin & title and enforcement of security interests in personal property under the Personal Property Securities Act 2009 (Cth). Students are expected to have completed Foundations of Property Law - LAWS12065 first as the unit content assumes knowledge from that unit.

### Details

Career Level: *Undergraduate*

Unit Level: *Level 2*

Credit Points: 6

Student Contribution Band: 10

Fraction of Full-Time Student Load: 0.125

### Pre-requisites or Co-requisites

Pre-requisite: 24 credit points of law

Important note: Students enrolled in a subsequent unit who failed their pre-requisite unit, should drop the subsequent unit before the census date or within 10 working days of Fail grade notification. Students who do not drop the unit in this timeframe cannot later drop the unit without academic and financial liability. See details in the [Assessment Policy and Procedure \(Higher Education Coursework\)](#).

### Offerings For Term 2 - 2024

- Online

### Attendance Requirements

All on-campus students are expected to attend scheduled classes – in some units, these classes are identified as a mandatory (pass/fail) component and attendance is compulsory. International students, on a student visa, must maintain a full time study load and meet both attendance and academic progress requirements in each study period (satisfactory attendance for International students is defined as maintaining at least an 80% attendance record).

### Website

[This unit has a website, within the Moodle system, which is available two weeks before the start of term. It is important that you visit your Moodle site throughout the term. Please visit Moodle for more information.](#)



## Class and Assessment Overview

### Recommended Student Time Commitment

Each 6-credit Undergraduate unit at CQUniversity requires an overall time commitment of an average of 12.5 hours of study per week, making a total of 150 hours for the unit.

### Class Timetable

#### [Regional Campuses](#)

Bundaberg, Cairns, Emerald, Gladstone, Mackay, Rockhampton, Townsville

#### [Metropolitan Campuses](#)

Adelaide, Brisbane, Melbourne, Perth, Sydney

### Assessment Overview

#### 1. **Online Quiz(zes)**

Weighting: 10%

#### 2. **Written Assessment**

Weighting: 40%

#### 3. **Take Home Exam**

Weighting: 50%

### Assessment Grading

This is a graded unit: your overall grade will be calculated from the marks or grades for each assessment task, based on the relative weightings shown in the table above. You must obtain an overall mark for the unit of at least 50%, or an overall grade of 'pass' in order to pass the unit. If any 'pass/fail' tasks are shown in the table above they must also be completed successfully ('pass' grade). You must also meet any minimum mark requirements specified for a particular assessment task, as detailed in the 'assessment task' section (note that in some instances, the minimum mark for a task may be greater than 50%). Consult the [University's Grades and Results Policy](#) for more details of interim results and final grades.

## CQUniversity Policies

**All University policies are available on the [CQUniversity Policy site](#).**

You may wish to view these policies:

- Grades and Results Policy
- Assessment Policy and Procedure (Higher Education Coursework)
- Review of Grade Procedure
- Student Academic Integrity Policy and Procedure
- Monitoring Academic Progress (MAP) Policy and Procedure – Domestic Students
- Monitoring Academic Progress (MAP) Policy and Procedure – International Students
- Student Refund and Credit Balance Policy and Procedure
- Student Feedback – Compliments and Complaints Policy and Procedure
- Information and Communications Technology Acceptable Use Policy and Procedure

This list is not an exhaustive list of all University policies. The full list of University policies are available on the [CQUniversity Policy site](#).



## Previous Student Feedback

### Feedback, Recommendations and Responses

Every unit is reviewed for enhancement each year. At the most recent review, the following staff and student feedback items were identified and recommendations were made.

#### Feedback from Unit Coordinator

**Feedback**

Assessment supports

**Recommendation**

To give more learning materials relating to the standard of written work expected in the exam earlier in the term.

#### Feedback from Unit Coordinator

**Feedback**

Learning materials

**Recommendation**

To give students more learning materials so they rely on primary source material and prescribed textbooks.

#### Feedback from Unit Evaluation Data

**Feedback**

Participation in live zoom workshops

**Recommendation**

To better explain to students best professional practice in keeping cameras on during live zoom meetings

## Unit Learning Outcomes

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

1. Explain the conceptual characteristics of land under Australian land law.
2. Examine the principles and concepts in native title, possession, seisin and title, and the rule against perpetuities.
3. Analyse and apply the Torrens system of land registration and the impact of e-technology pursuant to the Land Title Act 1994 (Qld).
4. Analyse and apply the rights in land relating to concurrent ownership, leases, mortgages, and security interests in personal property under the Personal Property Securities Act 2009 (Cth)



## Alignment of Learning Outcomes, Assessment and Graduate Attributes



### Alignment of Assessment Tasks to Learning Outcomes

| Assessment Tasks             | Learning Outcomes |   |   |   |
|------------------------------|-------------------|---|---|---|
|                              | 1                 | 2 | 3 | 4 |
| 1 - Online Quiz(zes) - 10%   | •                 | • | • |   |
| 2 - Written Assessment - 40% | •                 | • | • | • |
| 3 - Take Home Exam - 50%     |                   |   | • | • |

### Alignment of Graduate Attributes to Learning Outcomes

| Graduate Attributes                                 | Learning Outcomes |   |   |   |
|---|-------------------|---|---|---|
|   | 1                 | 2 | 3 | 4 |
| 1 - Communication                                   | •                 | • | • | • |
| 2 - Problem Solving                                 |                   | • | • | • |
| 3 - Critical Thinking                               | •                 | • |   |   |
| 4 - Information Literacy                            |                   | • |   | • |
| 5 - Team Work                                       |                   |   |   |   |
| 6 - Information Technology Competence               |                   |   |   |   |
| 7 - Cross Cultural Competence                       |                   |   |   |   |
| 8 - Ethical practice                                |                   |   |   |   |
| 9 - Social Innovation                               |                   |   |   |   |
| 10 - Aboriginal and Torres Strait Islander Cultures |                   |   |   |   |



## Textbooks and Resources

### Textbooks

LAWS12066

#### Prescribed

##### **Real Property Law in Queensland**

Edition: 5th (2020)

Authors: Anne Wallace, Michael Weir and Les McCrimmon

Lawbook Co 2020 (Thomson Reuters (Professional) Australia Limited)

ISBN: 9780455242934

Binding: Paperback

### IT Resources

**You will need access to the following IT resources:**

- CQUniversity Student Email
- Internet
- Unit Website (Moodle)

## Referencing Style

All submissions for this unit must use the referencing style: [Australian Guide to Legal Citation, 4th ed](#)  
For further information, see the Assessment Tasks.

## Teaching Contacts

**Karena Viglianti** Unit Coordinator

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**Stephen Colbran** Unit Coordinator

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## Schedule

### Week 1 - 08 Jul 2024

| Module/Topic                      | Chapter                      | Events and Submissions/Topic |
|-----------------------------------|------------------------------|------------------------------|
| Week 1 - Introduction to Land Law | See Study Guide for details. |                              |

### Week 2 - 15 Jul 2024

| Module/Topic   | Chapter                      | Events and Submissions/Topic |
|--|------------------------------|------------------------------|
| Week 2 - Possession, Adverse Possession and Fixtures | See Study Guide for details. |                              |

### Week 3 - 22 Jul 2024

| Module/Topic   | Chapter                      | Events and Submissions/Topic                                      |
|--|------------------------------|---|
| Week 3 - Land Registration (classification of estates and interests) | See Study Guide for details. | <b>Online Quiz</b> Due: Week 3 Friday (26 July 2024) 5:00 pm AEST |

### Week 4 - 29 Jul 2024

| Module/Topic                              | Chapter                      | Events and Submissions/Topic |
|---|------------------------------|------------------------------|
| Week 4 - Land Registration (Torrens Pt 1) | See Study Guide for details. |                              |



**Week 5 - 05 Aug 2024**

| Module/Topic                              | Chapter                      | Events and Submissions/Topic |
|---|------------------------------|------------------------------|
| Week 5 - Land Registration (Torrens Pt 2) | See Study Guide for details. |                              |

**Vacation Week - 12 Aug 2024**

| Module/Topic | Chapter | Events and Submissions/Topic |
|--------------|---------|------------------------------|
|--------------|---------|------------------------------|

**Week 6 - 19 Aug 2024**

| Module/Topic                              | Chapter                      | Events and Submissions/Topic   |
|---|------------------------------|--|
| Week 6 - Land Registration (Torrens Pt 3) | See Study Guide for details. | <b>Written Assessment</b> Due: Week 6 Tuesday (20 Aug 2024) 5:00 pm AEST |

**Week 7 - 26 Aug 2024**

| Module/Topic          | Chapter                      | Events and Submissions/Topic |
|-----------------------|------------------------------|------------------------------|
| Week 7 - Co-Ownership | See Study Guide for details. |                              |

**Week 8 - 02 Sep 2024**

| Module/Topic           | Chapter                      | Events and Submissions/Topic |
|------------------------|------------------------------|------------------------------|
| Week 8 - Leases Part 1 | See Study Guide for details. |                              |

**Week 9 - 09 Sep 2024**

| Module/Topic           | Chapter                      | Events and Submissions/Topic |
|------------------------|------------------------------|------------------------------|
| Week 9 - Leases Part 2 | See Study Guide for details. |                              |

**Week 10 - 16 Sep 2024**

| Module/Topic  | Chapter                      | Events and Submissions/Topic |
|---|------------------------------|------------------------------|
| Week 10 - Easements, Freehold Covenants and Profit a Prendre Pt 1 | See Study Guide for details. |                              |

**Week 11 - 23 Sep 2024**

| Module/Topic  | Chapter                      | Events and Submissions/Topic |
|---|------------------------------|------------------------------|
| Week 11 - Easements, Freehold Covenants and Profit a Prendre Pt 2 | See Study Guide for details. |                              |

**Week 12 - 30 Sep 2024**

| Module/Topic        | Chapter                      | Events and Submissions/Topic |
|---------------------|------------------------------|------------------------------|
| Week 12 - Mortgages | See Study Guide for details. |                              |

**Review/Exam Week - 07 Oct 2024**

| Module/Topic                                   | Chapter | Events and Submissions/Topic |
|--|---------|------------------------------|
| Week 13 - Personal Property and Securities Act |         |                              |

**Exam Week - 14 Oct 2024**

| Module/Topic                         | Chapter | Events and Submissions/Topic |
|--------------------------------------|---------|------------------------------|
| Exam Date to be advised during term. |         |                              |

## Assessment Tasks

### 1 Online Quiz

**Assessment Type**

Online Quiz(zes)

**Task Description**

**Task Description:**



Students will be asked to answer an online quiz via the subject Moodle page. The quiz will occur in Week 3. More details of the quiz will be provided by the Unit Coordinator in Week 1 of Term.

**Number of Quizzes**

1

**Frequency of Quizzes**

Other

**Assessment Due Date**

Week 3 Friday (26 July 2024) 5:00 pm AEST

Full details are provided via Moodle.

**Return Date to Students**

Returned Via Moodle

**Weighting**

10%

**Assessment Criteria**

A failed paper displays the following:

1. All the tasks have not been completed.
2. Did not adequately identify and discuss a relevant number of legal issues and apply these issues to the facts.
3. Did not adequately identify and discuss a relevant number of cases and legislation.
4. The paper is not an acceptable standard in relation to its presentation and expression because:
  - (a) is not clear and succinct and the language is not appropriate for a law assessment due to its informality.
  - (b) the structure is poor; the paper demonstrates little awareness of structure and purpose.
  - (c) the paper has largely referenced material which is not primary and/or academically rigorous (for example, online summaries and blogs)

Students at a minimum must have completed the following in order to obtain a Pass:

1. All of the tasks have been answered but not satisfactorily.
2. Identified and discussed relevant legal issues but missed a significant number of issues most if not all of which were important issues. There was some application to the facts but missed a significant number of factual issues to discuss.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory but there were a large amount of errors throughout.

Students at a minimum must have completed the following in order to obtain a Credit:

1. All of the tasks were completed satisfactorily.
2. Identified and discussed relevant legal issues but missed some issues a minority of which were significant. Applied the legal issues to the facts but missed some important issues.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory with some errors throughout.

Students at a minimum must have completed the following in order to obtain a Distinction:

1. All of the tasks were completed with few errors.
2. Identified and discussed relevant legal issues and applied them to the facts. Any errors were few and were mostly minor.
3. Relevant cases and legislation identified and discussed. Any errors were few and mostly minor.
4. Grammar and written expression was very good with some minor errors.

Students at a minimum must have completed the following in order to obtain a High Distinction:

1. All of the tasks were completed with no errors or almost no errors.
2. Identified and discussed all or almost all relevant legal issues and applied them to the facts with almost no errors.
3. All relevant cases and legislation identified and discussed with no errors or almost no errors.
4. Grammar and written expression was excellent.

**Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

**Submission**

Online

**Submission Instructions**

Full details available via the Moodle site for the subject.



## Learning Outcomes Assessed

- Explain the conceptual characteristics of land under Australian land law.
- Examine the principles and concepts in native title, possession, seisin and title, and the rule against perpetuities.
- Analyse and apply the Torrens system of land registration and the impact of e-technology pursuant to the Land Title Act 1994 (Qld).

## 2 Written Assessment

### Assessment Type

Written Assessment

### Task Description

#### Task Description:

This assessment will be a written assessment based on a problem scenario so students can be prepared for the take home exam. More details will be provided on moodle.

### Assessment Due Date

Week 6 Tuesday (20 Aug 2024) 5:00 pm AEST

To be submitted online

### Return Date to Students

Week 8 Friday (6 Sept 2024)

Returned via moodle

### Weighting

40%

### Assessment Criteria

Students' work who fail this assessment will have generally displayed the following:

1. All the tasks have not been completed.
2. Did not adequately identify and discuss a relevant number of legal issues and apply these issues to the facts.
3. Did not adequately identify and discuss a relevant number of cases and legislation.
4. The paper is not an acceptable standard in relation to its presentation and expression because:
  - (a) is not clear and succinct and the language is not appropriate for a law assessment due to its informality;
  - (b) the structure is poor, the paper demonstrates little awareness of structure and purpose;
  - (c) the paper has largely referenced material which is not primary and/or academically rigorous (for example, online summaries and blogs)
5. Overall has not complied with the AGLC.

Students at a minimum must have completed the following in order to obtain a Pass:

1. All of the tasks have been answered but not satisfactorily.
2. Identified and discussed relevant legal issues but missed a significant number of issues most if not all of which were important issues. There was some application to the facts but missed a significant number of factual issues to discuss.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory but there were a large amount of errors throughout.
5. Attempt to comply with AGLC but there were significant errors throughout.

Students at a minimum must have completed the following in order to obtain a Credit:

1. All of the tasks were completed satisfactorily.
2. Identified and discussed relevant legal issues but missed some issues a minority of which were significant. Applied the legal issues to the facts but missed some important issues.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory with some errors throughout.
5. Attempt to comply with AGLC but there were significant errors throughout.

Students at a minimum must have completed the following in order to obtain a Distinction:

1. All of the tasks were completed with few errors.
2. Identified and discussed relevant legal issues and applied them to the facts. Any errors were few and were mostly minor.
3. Relevant cases and legislation identified and discussed. Any errors were few and mostly minor.
4. Grammar and written expression was very good with some minor errors.
5. AGLC was followed with some minor errors.

Students at a minimum must have completed the following in order to obtain a High Distinction:

1. All of the tasks were completed with no errors or almost no errors.



2. Identified and discussed all or almost all relevant legal issues and applied them to the facts with almost no errors.
3. All relevant cases and legislation identified and discussed with no errors or almost no errors.
4. Grammar and written expression was excellent.
5. Followed AGLC with no errors or almost no errors.

### Referencing Style

- [Australian Guide to Legal Citation, 4th ed](#)

### Submission

Online

### Submission Instructions

To be submitted on moodle

### Learning Outcomes Assessed

- Explain the conceptual characteristics of land under Australian land law.
- Examine the principles and concepts in native title, possession, seisin and title, and the rule against perpetuities.
- Analyse and apply the Torrens system of land registration and the impact of e-technology pursuant to the Land Title Act 1994 (Qld).
- Analyse and apply the rights in land relating to concurrent ownership, leases, mortgages, and security interests in personal property under the Personal Property Securities Act 2009 (Cth)

## 3 Take Home Exam

### Assessment Type

Take Home Exam

### Task Description

1. This unit has an invigilated take-home examination of 2.5 hours (150 minutes) duration. Students should consult the Invigilated Take-home Examination Guidelines, College of Law, Criminology and Justice, available from the Laws Moodle site. A requirement of these guidelines is that students must obtain a student card for verification purposes - see [https://sportal.cqu.edu.au/\\_data/assets/pdf\\_file/0006/1113/Information-Sheet-Student-ID-Card-2017.pdf](https://sportal.cqu.edu.au/_data/assets/pdf_file/0006/1113/Information-Sheet-Student-ID-Card-2017.pdf).
2. Students must also have access to a reliable and adequate internet connection, and a computer, tablet, or laptop equipped with a working webcam, working microphone, Zoom installed and access to the unit Moodle site via an Internet browser.
3. No extensions are permitted for invigilated take-home examinations.
4. Submissions after the deadline has passed will not be accepted and will receive a mark of zero.
5. Failure to attend the invigilated take-home examination will result in a mark of zero.
6. Exam conditions apply to all invigilated take-home examinations.

### Assessment Due Date

Please note more details will be provided during the term

### Return Date to Students

Results will be released when the results are certified for all students

### Weighting

50%

### Assessment Criteria

Students' work who fail this assessment will have generally displayed the following:

1. All the tasks have not been completed.
2. Did not adequately identify and discuss a relevant number of legal issues and apply these issues to the facts.
3. Did not adequately identify and discuss a relevant number of cases and legislation.
4. The paper is not an acceptable standard in relation to its presentation and expression because:



- (a) is not clear and succinct and the language is not appropriate for a law assessment due to its informality;
- (b) the structure is poor, the paper demonstrates little awareness of structure and purpose;
- (c) the paper has largely referenced material primary material

Students at a minimum must have completed the following in order to obtain a Pass:

1. All of the tasks have been answered but not satisfactorily.
2. Identified and discussed relevant legal issues but missed a significant number of issues most if not all of which were important issues. There was some application to the facts but missed a significant number of factual issues to discuss.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory but there were a large amount of errors throughout.

Students at a minimum must have completed the following in order to obtain a Credit:

1. All of the tasks were completed satisfactorily.
2. Identified and discussed relevant legal issues but missed some issues a minority of which were significant. Applied the legal issues to the facts but missed some important issues.
3. Relevant cases and legislation identified and discussed but missed a significant number of them but not a majority of them.
4. Grammar and written expression was satisfactory with some errors throughout.

Students at a minimum must have completed the following in order to obtain a Distinction:

1. All of the tasks were completed with few errors.
2. Identified and discussed relevant legal issues and applied them to the facts. Any errors were few and were mostly minor.
3. Relevant cases and legislation identified and discussed. Any errors were few and mostly minor.
4. Grammar and written expression was very good with some minor errors.

Students at a minimum must have completed the following in order to obtain a High Distinction:

1. All of the tasks were completed with no errors or almost no errors.
2. Identified and discussed all or almost all relevant legal issues and applied them to the facts with almost no errors.
3. All relevant cases and legislation identified and discussed with no errors or almost no errors.
4. Grammar and written expression was excellent.

### **Referencing Style**

- [Australian Guide to Legal Citation, 4th ed](#)

### **Submission**

Online

### **Submission Instructions**

Submitted via moodle

### **Learning Outcomes Assessed**

- Analyse and apply the Torrens system of land registration and the impact of e-technology pursuant to the Land Title Act 1994 (Qld).
- Analyse and apply the rights in land relating to concurrent ownership, leases, mortgages, and security interests in personal property under the Personal Property Securities Act 2009 (Cth)



## Academic Integrity Statement

As a CQUniversity student you are expected to act honestly in all aspects of your academic work.

Any assessable work undertaken or submitted for review or assessment must be your own work. Assessable work is any type of work you do to meet the assessment requirements in the unit, including draft work submitted for review and feedback and final work to be assessed.

When you use the ideas, words or data of others in your assessment, you must thoroughly and clearly acknowledge the source of this information by using the correct referencing style for your unit. Using others' work without proper acknowledgement may be considered a form of intellectual dishonesty.

Participating honestly, respectfully, responsibly, and fairly in your university study ensures the CQUniversity qualification you earn will be valued as a true indication of your individual academic achievement and will continue to receive the respect and recognition it deserves.

As a student, you are responsible for reading and following CQUniversity's policies, including the [Student Academic Integrity Policy and Procedure](#). This policy sets out CQUniversity's expectations of you to act with integrity, examples of academic integrity breaches to avoid, the processes used to address alleged breaches of academic integrity, and potential penalties.

### What is a breach of academic integrity?

A breach of academic integrity includes but is not limited to plagiarism, self-plagiarism, collusion, cheating, contract cheating, and academic misconduct. The Student Academic Integrity Policy and Procedure defines what these terms mean and gives examples.

### Why is academic integrity important?

A breach of academic integrity may result in one or more penalties, including suspension or even expulsion from the University. It can also have negative implications for student visas and future enrolment at CQUniversity or elsewhere. Students who engage in contract cheating also risk being blackmailed by contract cheating services.

### Where can I get assistance?

For academic advice and guidance, the [Academic Learning Centre \(ALC\)](#) can support you in becoming confident in completing assessments with integrity and of high standard.

### What can you do to act with integrity?



#### Be Honest

If your assessment task is done by someone else, it would be dishonest of you to claim it as your own



#### Seek Help

If you are not sure about how to cite or reference in essays, reports etc, then seek help from your lecturer, the library or the Academic Learning Centre (ALC)



#### Produce Original Work

Originality comes from your ability to read widely, think critically, and apply your gained knowledge to address a question or problem