

YEAR 1: COURSE 2 – LAW AND PROFESSIONAL PRACTICE

Prescription Title:	Law and Professional Practice	
Prescription Number:	DC502	
Level:	5	
Credits:	20	
Version:	1	
Introduced:	2008	
Hours:	Timetabled teaching	60
	Directed Learning	60
	Unsupervised / Independent hours	80
	Total	200
Prerequisites	Nil	

AIM / PURPOSE

To understand the relevant provisions of the Lawyers and Conveyancers Act (2006) and apply the guidelines and procedures to professional practice.

The purpose of this course is to develop knowledge of the Act with an emphasis on the principles relating to ethics and professional responsibility. To provide students with an understanding of the commercial aspects of a conveyance office practice.

DESIRED OUTCOMES

- a. To enable students to develop the knowledge and attitude to obtain a licence to practice as a licensed conveyancer in line with the provisions of the Act and apply the relevant standards of ethics and conduct (including knowledge of the 'Practice Rules', 'Trust Account Regulations' and the 'Standards Committee' as well as disciplinary procedures).
- b. Understand the organisation and operation of a conveyancing office and the common legal transactions that occur within them.
- c. Apply the procedures and correct methods of accounting to clients including the essential principles of trust account reconciliation.
- d. Draft simple statements commonly used in conveyancing practice.
- e. Determine what information is available from:
 - Land Titles Registry using Land on Line
 - Companies Registry
 - Personal Properties Securities Register

ASSESSMENT WEIGHTINGS

Learning outcomes	Assessment weighting %
1. Knowledge of the Lawyers and Conveyancers Act (2006)	20
2. Operating a conveyancing office	20
3. Accounting to clients	20
4. Drafting statements	20
5. Accessing registry information	20
TOTAL	100

All learning outcomes must be evidenced; a 10% aggregate variance is allowed.

Assessment Notes

The focus of this prescription is to develop knowledge of the Lawyers and Conveyancers Act 2007 with an emphasis on the principles relating to ethics and professional responsibility. To provide students with an understanding of the general operation of a conveyance office practice.

1. Learning outcome one - Knowledge of the Lawyers and Conveyancers Act
2. Learning outcome two - Operating a conveyancing office
3. Learning outcome three - Accounting to clients
4. Learning outcome four - Drafting statements
5. Learning outcome five - Accessing registry information

LEARNING OUTCOME 1

Students will develop the knowledge and attitude to obtain a licence to practice as a licensed conveyancer in line with the provisions of the Act and understand the relevant Regulations, standards of ethics and conduct by examining the following:

- 1.1 Regulations for:
 - Disciplinary Tribunal
 - Legal Complaints Review Officer
 - Standards Committee
 - Registration requirements
 - Trust Accounting requirements

LEARNING OUTCOME 2

Students will understand the organisation and operation of a conveyancing office and the common legal transactions that occur within them.

- 2.1 Describe the most common legal transactions undertaken in a conveyancing office
- 2.2 Describe common procedures that are undertaken in relation to taking instructions from clients to ensure that:
 - a) Client needs are established, documented and recorded

- b) Information gathered is checked for accuracy
- c) Mutual needs and responsibilities are clearly defined and recorded accurately

2.3 Describe common procedures that are undertaken to ensure that work for a client is undertaken in a professional manner including opening and managing a file, recording important deadlines and ensuring that deadlines and attendances are met.

LEARNING OUTCOME 3

Students will learn and apply the basic procedures and correct methods of accounting to clients including the essential principles of trust account reconciliation.

Regulation 19 of the Lawyers and Conveyancers Act (Trust Account) Regulations 2008 indicate that a set training course in trust accounting has to be undertaken. It appears from Schedule 1 and 2 that these training courses are called the **Trust Account Supervisor course** and the **Trust Account Supervisor Refresher course**. This appears to be a competency based course.

3.1 The elements of the Trust Account Supervisor course are set as:

- a) observation report:
- b) trust accounting:
- c) financial management:
- d) ethics (workshop):
- e) fraud (workshop):
- f) any other elements prescribed by the relevant society.

3.2 The elements of the Trust account Refresher course are set as:

- a) trust accounting
- b) financial management
- c) ethics
- d) fraud
- e) any other elements prescribed by the relevant society.

LEARNING OUTCOME 4

Students will learn to draft simple statements commonly used in conveyancing practice.

4.1 Draft settlement statements for a Vendor and a Purchaser

- Sale/Purchase Residential
- Sale/Purchase Business

LEARNING OUTCOME 5

Determine what information is available from:

- Land Titles Registry using Land on Line
- Companies Registry
- Personal Properties Securities Register

- 5.1 Describe the processes involved to access information from the Land Titles Registry using Land on Line, Companies Registry and the Personal Properties Securities Register.
 - 5.2 Describe and Differentiate between the information that can be obtained from the Land Titles Registry using Land on Line, Companies Registry and the Personal Properties Securities Register.
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CROSS CREDIT

Introduction to Law Office Practice – [New Zealand Law Society Legal Executive Course](#).

REQUIRED COURSE TEXTS AND MATERIALS

The Lawyers and Conveyancers Act (2006)