

YEAR 2: COURSE 10 – CONVEYANCING PRACTICE

Prescription Title:	Conveyancing Practice
Prescription Number:	DC610
Level:	6
Credits:	20
Version:	1
Introduced:	2008
Hours:	Total 200
Prerequisites	DC503 –Business and Commercial Law

AIM / PURPOSE

The purpose of this course is to enable students to use their gained knowledge of conveyancing procedures to apply to the sale, purchase and lease of all property leading to the student preparing and completing an Agreement for the Sale and or purchase of Land.

DESIRED OUTCOMES

- a. Explain and understand the law and procedures leading to and including exchange of contracts for the sale of all types of real property.
- b. Explain and apply the legal principles and practices relevant to the role of the conveyancer acting for a mortgagor or a mortgagee in common conveyancing transactions.
- c. Identify the different types of multi-unit ownership, and explain and apply the legal principles and practices relating to the main kinds of multi unit ownership whilst comparing their relevant strengths and weaknesses.
- d. Examine the standard contract for the Sale and Purchase of land including all clauses, statutory provisions and contractual obligations.
- e. Complete a contract for the Sale and Purchase of property taking into consideration any special clauses, conditions or tax issues.
- f. Explain the principles and rules for the use of language and technical terms in legal drafting and writing.
- g. Outline the principles governing the use and technical terms in legal drafting.
- h. Explain the rules and procedures for the use of precedents and statutory forms

LEARNING OUTCOME 1

Explain the principles and rules for the use of language and technical terms in legal drafting and writing.

LEARNING OUTCOME 2

Explain the rules and procedures for the use of precedents and statutory forms.

LEARNING OUTCOME 3

Students will be able to explain and understand the law and procedures leading to and including exchange of contracts for the sale of all types of real property.

- 3.1 Identify the various types of settlements.
- 3.2 Identify the main types of documents encountered in those settlements.
- 3.3 Prepare a list of matters to be checked in relation to documents encountered in settlements including correct certificate of title reference, correct names of the parties, correct consideration, documents have been certified correctly and the correct fees have been accounted for.
- 3.4 List in general terms a step by step procedure for the settlement of a residential property, a multi-ownership property and for the sale of a business.
- 3.5 Identify standard requirements and procedures to complete a settlement including preparing necessary documentation and execution of documentation, prepare necessary settlement instructions, arranging settlement with all interested parties, promptness to attend settlement, working within a set timeframe, Bank cheques to be drawn or obtained, documentation checks, complete final searches and enquiries, cheques are drawn/fees are available to pay for registration of documents.

LEARNING OUTCOME 4

Students will be able to explain and apply the legal principles and practices relevant to the role of the conveyancer acting for a mortgagee in common conveyancing transactions.

- 4.1 The role of the conveyance acting for a mortgagee is described.
- 4.2 Describe common conveyancing transactions undertaken for a mortgagee.
- 4.3 Describe common features of instructions taken from a mortgagee.
- 4.4 Using the appropriate forms prepare a mortgage and a discharge of mortgage and explain the procedures to be followed to lodge these on the register.
- 4.5 List in general terms a step by step procedure for a conveyancer acting for a mortgagee.

LEARNING OUTCOME 5

Students will examine the standard contract for the Sale and Purchase of land including all clauses, statutory provisions and contractual obligations.

LEARNING OUTCOME 6

Students will complete a contract for the Sale and Purchase of property taking into consideration any special clauses, conditions or tax issues.

CROSS CREDIT

Property Law & Practice – [New Zealand Law Society Legal Executive Course](#).

REQUIRED COURSE TEXTS AND MATERIALS

Yet to be confirmed