Module Descriptor

Title	Scots Private Law 5: Succession And Trusts		
Session	2026/27	**Status**	Approved
Code	LAWW08018	**SCQF Level**	Level 8
Credit Points	20	**ECTS (European Credit Transfer Scheme)**	10
School	**Business and Creative Industries**		
Module Co-ordinator	C Mitchell		

Summary of Module

The module will consider the role and duties of an executor. The module will also consider the current statutory and common law provisions in Scotland for the distribution of a person's estate on death, whether they leave a will (testate) or not (intestate). Consideration will be given to the legal mechanisms which apply where there is a presumed death or a common calamity. The common law and statutory provisions relating to disqualification from inheritance will be examined. Beyond this, the application of prior rights and legal rights will be considered in regard to intestate succession as well as the statutory provisions relating to a cohabitant's rights in succession.

In relation to testate succession, the application of legal rights will be examined as well as the effects of collation inter libros and renunciation of legitim. Essential and formal validity of testamentary writing will be considered together with common testamentary provisions and construction and interpretation of testamentary deeds and the effect of testamentary devices. The different forms of legacy will be considered in detail as will revocation of testamentary writing.

The module will examine the role and duties of trustees. The various classifications and purposes of trusts and administration of trusts will also be considered. The appointment, assumption and resignation of trustees will be examined. Beyond this, the investment duties of trustees, conflict of interest and issues of liability to beneficiaries will be considered. Variation and termination of trusts will be examined.

This module is developed in accordance with the UWS Graduate Attributes and helps students to develop the range of skills, qualities and abilities which will prepare them for success both outwith university and beyond their period of study at UWS. This module will help the student develop academic skills such as gaining knowledge, being a critical thinker, being analytical, being a problem solver, being digitally literate and being an autonomous learner. The module also helps to develop many of the personal and professional attributes found at https://www.uws.ac.uk/current-students/your-graduate-attributes/

Module Delivery Method	On-Campus[1] ☒	Hybrid[2] ☐	Online[3] ☐	Work -Based Learning[4] ☐
Campuses for Module Delivery	☐ Ayr ☐ Dumfries	☐ Lanarkshire ☐ London ☒ Paisley	☐ Online / Distance Learning ☐ Other (specify)	

Terms for Module Delivery	Term 1	☐	Term 2	☒	Term 3	☐
Long-thin Delivery over more than one Term	Term 1 – Term 2	☐	Term 2 – Term 3	☐	Term 3 – Term 1	☐

Learning Outcomes	
L1	Explain and analyse the principles of the Law of Succession pertaining to testate and intestate estates.
L2	Apply the law of Succession to given legal problems whether relating to testate or intestate estates.
L3	Explain the creation and administration of Trusts and apply the law to given legal problems.
L4	Make effective use of library and electronic resources to acquire legal information to analyse problems in terms of legal concepts and to apply legal principles to propose solutions.
L5	

Employability Skills and Personal Development Planning (PDP) Skills	
SCQF Headings	**During completion of this module, there will be an opportunity to achieve core skills in:**
Knowledge and Understanding (K and U)	**SCQF 8** Demonstrate and/or work with: A knowledge of the scope, defining features, and main areas of the law of succession. Specialist knowledge in some areas. A discerning understanding of a defined range of core theories, concepts, principles and terminology.

[1] Where contact hours are synchronous/ live and take place fully on campus. Campus-based learning is focused on providing an interactive learning experience supported by a range of digitally-enabled asynchronous learning opportunities including learning materials, resources, and opportunities provided via the virtual learning environment. On-campus contact hours will be clearly articulated to students.

[2] The module includes a combination of synchronous/ live on-campus and online learning events. These will be supported by a range of digitally-enabled asynchronous learning opportunities including learning materials, resources, and opportunities provided via the virtual learning environment. On-campus and online contact hours will be clearly articulated to students.

[3] Where all learning is solely delivered by web-based or internet-based technologies and the participants can engage in all learning activities through these means. All required contact hours will be clearly articulated to students.

[4] Learning activities where the main location for the learning experience is in the workplace. All required contact hours, whether online or on campus, will be clearly articulated to students

	Awareness and understanding of some major current issues and specialisms. Awareness and understanding of research and equivalent scholarly/academic processes.
Practice: Applied Knowledge and Understanding	**SCQF 8** Apply knowledge, skills and understanding: In using a range of professional skills, techniques, practices and/or materials associated with the law of succession, a few of which are advancedand/or complex. In carrying out routine lines of enquiry, development or investigation into professional level problems and issues. To adapt routine practices within accepted standards.
Generic Cognitive skills	**SCQF 8** Undertake critical analysis, evaluation and/or synthesis of ideas, concepts, information and issues that are within the common understandings in the law of succession. Use a range of approaches to formulate and critically evaluate evidence-based solutions/responses to defined and/or routine problems and issues.
Communication, ICT and Numeracy Skills	**SCQF 8** Use a wide range of routine skills and some advanced and specialised skills associated with the law of succession, for example: Use a range of standard ICT applications to process and obtain data. Use and evaluate numerical and graphical data to measure progress and achieve goals/targets.
Autonomy, Accountability and Working with Others	**SCQF 8** Exercise autonomy and initiative in some activities at a professional level in practice or in relation to the law of succession. Practise in ways that show awareness of own and others' roles, responsibilities and contributions when carrying out and evaluating tasks. Work, under guidance, with others to acquire an understanding of current professional practice. Manage, under guidance, ethical and professional issues in accordance with current professional and/or ethical codes or practices.

Prerequisites	**Module Code** LAWW08013	**Module Title** Scots Private Law 3: Property
	Other or an appropriate module equivalent to either Scots Private Law 3: Property or Law of Property and Conveyancing Practice module noted above. The appropriateness of any such module will be determined by the Module Co-ordinator in consultation with the Programme Leader.	
Co-requisites	**Module Code**	**Module Title**

Learning and Teaching
In line with current learning and teaching principles, a 20-credit module includes 200 learning hours, normally including a minimum of 36 contact hours and maximum of 48 contact hours.

Learning Activities During completion of this module, the learning activities undertaken to achieve the module learning outcomes are stated below:	**Student Learning Hours** (Note: Learning hours include both contact hours and hours spent on other learning activities)
Lecture / Core Content Delivery	24
Tutorial / Synchronous Support Activity	12
Asynchronous Class Activity	12
Independent Study	152
Please select	
Please select	
TOTAL	200

Indicative Resources
The following materials form essential underpinning for the module content and ultimately for the learning outcomes: Barr, A., Biggar, J. & Dalgleish, A., Drafting Wills in Scotland (2nd edition, Bloomsbury Professional 2009) Bartos, D. & Meston, M.C., The Succession (Scotland) Act 1964 (6th edition, W Green 2015) Chalmers, J., Trusts: Cases and Materials (W Green 2002) Finlay, J., Trusts Law Essentials (Edinburgh University Press 2012)* Gibb, A., Succession and Trusts (W Green 2017)* Gibb, A. & Gordon, A., Succession LawBasics (4th edition, W Green 2018) Gretton, G.L. & Steven, A.J.M., Property, Trusts and Succession (5th edition, Bloomsbury Professional 2024) Hiram, H., The Scots Law of Succession (2nd edition, Bloomsbury Professional 2007) Kerrigan, J., Drafting for Succession (2nd edition, W Green 2010) Kessler, J. & Grant, W., Drafting Trusts and Will Trusts in Scotland: A Modern Approach (2nd edition, W Green 2017) Norrie, K. & Scobbie, E.M., Trusts (W Green/Sweet & Maxwell 1991) Scobbie, E.M., Currie on Confirmation of Executors & Supplement (9th edition, W Green 2011)
(N.B. Although reading lists should include current publications, students are advised (particularly for material marked with an asterisk*) to wait until the start of session for confirmation of the most up-to-date material)

Attendance and Engagement Requirements

In line with the Student Attendance and Engagement Procedure, Students are academically engaged if they are regularly attending and participating in timetabled on-campus and online teaching sessions, asynchronous online learning activities, course-related learning resources, and complete assessments and submit these on time. **For the purposes of this module, academic engagement equates to the following:** Student compliance with the Student Attendance and Engagement Procedure noted above.

Equality and Diversity
The University's Equality, Diversity and Human Rights Procedure can be accessed at the following link: UWS Equality, Diversity and Human Rights Code.
(N.B. Every effort will be made by the University to accommodate any equality and diversity issues brought to the attention of the School)

Supplemental Information

Divisional Programme Board	**Accounting Finance Law**
Overall Assessment Results	☐ **Pass / Fail** ☒ **Graded**
Module Eligible for Compensation	☒ **Yes** ☐ **No** **If this module is eligible for compensation, there may be cases where compensation is not permitted due to programme accreditation requirements. Please check the associated programme specification for details.**
School Assessment Board	Accounting, Finance and Law
Moderator	Colin McFadyen
External Examiner	Gary Betts
Accreditation Details	Not applicable
Module Appears in CPD catalogue	☐ **Yes** ☒ **No**
Changes / Version Number	2.0

Assessment (also refer to Assessment Outcomes Grids below)
Assessment 1
One piece of coursework worth 40% of the final mark.
Assessment 2
One class test worth 60% of the final mark.
Assessment 3
(N.B. (i) Assessment Outcomes Grids for the module (one for each component) can be found below which clearly demonstrate how the learning outcomes of the module will be assessed. (ii) An indicative schedule listing approximate times within the academic calendar when assessment is likely to feature will be provided within the Student Module Handbook.)

Component 1							
Assessment Type	**LO1**	**LO2**	**LO3**	**LO4**	**LO5**	**Weighting of Assessment Element (%)**	**Timetabled Contact Hours**
Essay	☒	☒	☒	☒	☐	40	0

Component 2							
Assessment Type	**LO1**	**LO2**	**LO3**	**LO4**	**LO5**	**Weighting of Assessment Element (%)**	**Timetabled Contact Hours**
Class test (written)	☒	☒	☒	☒	☐	60	2.5

Component 3							
Assessment Type	**LO1**	**LO2**	**LO3**	**LO4**	**LO5**	**Weighting of Assessment Element (%)**	**Timetabled Contact Hours**
	☐	☐	☐	☐	☐		
Combined total for all components						100%	2.5 hours

Change Control

What	When	Who