Module Descriptor

Title	Succession And Trusts		
Session	2026/27	**Status**	Approved
Code	LAWW08033	**SCQF Level**	Level 8
Credit Points	20	**ECTS (European Credit Transfer Scheme)**	10
School	**Business and Creative Industries**		
Module Co-ordinator	Clive Mitchell		

Summary of Module

The module will consider the nature and classification of trusts. It will examine the processes of creation, operation and termination of trusts, along with 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). 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.

Consideration will be given to the legal mechanisms which apply where there is a presumed death or a common calamity. This module will further examines the common law and statutory provisions relating to disqualification from inheritance. 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.

The module will also examine various issues related to trusts such as their classification, purpose, variation, administration, and termination. Further, this module will consider issues related to the appointment, role, duties, and resignation of trustees. Beyond this, the investment duties of trustees, conflict of interest, and issues of liability to beneficiaries will be considered.

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.

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, and the rights and duties of executors and other actors involved in this field.
L2	Apply the Law of Succession to given legal problems whether relating to testateor intestate estates, and the rights and duties of executors and other actors involved in this field.
L3	Explain the creation, classification, administration, and termination 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 trusts and succession. 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.
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 Scots family law, a few of which are advancedand/or complex. In carrying out routine lines of enquiry, development or investigation into professional level problems and issues.
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 trusts and succession.
Communication, ICT and Numeracy Skills	**SCQF 8** Use a wide range of routine skills and some advanced and specialised skills associated with trusts and succession, for example: Convey complex information to a range of audiences and for a range of purposes. Use a range of standard ICT applications to process and obtain data.
Autonomy, Accountability and Working with Others	**SCQF 8** Exercise autonomy and initiative in some activities at a professional level in practice or in trusts and succesion. Take the lead on planning in familiar or defined contexts. Practise in ways that show awareness of own and others' roles, responsibilities and contributions when carrying out and evaluating tasks. Manage, under guidance, ethical and professional issues in accordance with current professional and/or ethical codes or practices.

Prerequisites	**Module Code**	**Module Title**
	Other	
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 Law Basics (4th edition, W Green 2018)

Gretton, G.L. & Steven, A.J.M., Property, Trusts and Succession (4th edition, Bloomsbury Professional 2021)

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:

Attending timetabled teaching sessions, accessing course-related learning resources and complete and submit assessment on time.

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 & Law
Moderator	Colin McFadyen
External Examiner	Martin Jones
Accreditation Details	Law Society of Scotland
Module Appears in CPD catalogue	☒ **Yes** ☐ **No**
Changes / Version Number	1

Assessment (also refer to Assessment Outcomes Grids below)
Assessment 1
In-person Written Examination (60%)
Assessment 2
Case study (40%)
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**
Exam	☒	☒	☒	☒	☐	60	2

Component 2							
Assessment Type	**LO1**	**LO2**	**LO3**	**LO4**	**LO5**	**Weighting of Assessment Element (%)**	**Timetabled Contact Hours**
Case Study	☒	☒	☒	☒	☐	40	

Component 3							
Assessment Type	**LO1**	**LO2**	**LO3**	**LO4**	**LO5**	**Weighting of Assessment Element (%)**	**Timetabled Contact Hours**
	☐	☐	☐	☐	☐		
Combined total for all components						100%	2 hours

Change Control

What	When	Who
Updated to new MD template	21/10/2025	Samuel White