

PEAT 1 Outcomes - Conveyancing

Notes:

1. Positive Indicators are not exhaustive, and are indicators of student achievement.
2. The Society reserves the right to update the Mandatory and Core Outcomes should that be necessary, and will give sufficient notice of this.

3. Conveyancing		
	By the end of the programme students should be able to:	Positive indicators
1.	Understand the process of a conveyancing transaction, including the land registration process.	Has developed an understanding of a practical conveyance and will be able to ensure his/her client gets good title.
2.	Understand the law and practice in relation to missives and to be able to draft missive letters and conclude the contract.	Understands the law of contract relating to heritable property.
3.	Examine and report on title in relation to both first registration transactions and dealings thereafter.	Can check that the title to the property is good and if not, identify what is missing and how the problem can be solved Writes appropriately to another firm of solicitors making observations on title Can pick up on all problems in a title and can attempt to solve these problems
4.	Draft appropriate documents, including a knowledge of LBTT, capital gains tax and inheritance tax.	Will be able to draft a deed acceptable to the Registers of Scotland, including dispositions, break-off dispositions and dispositions of flats, with particular emphasis on difficult parts such as new particular descriptions, new burdens and deduction of title clauses, and the other main deeds used by conveyances, including standard securities, discharges, and minutes of waiver. Complete the forms required by Registers of Scotland for submission of deeds for registration. Can identify relevant taxes. Has developed an understanding of a practical conveyance and will get the registration accepted.

3. Conveyancing		
	By the end of the programme students should be able to:	Positive indicators
5.	Understand the implications of family law statutory rights on conveyancing transactions and to be able to draft and revise relevant documentation.	Demonstrates an understanding of basic legislation relevant to practice. Is able to draft the necessary deeds without basic errors.
6.	Understand what searches are required in the Property and Personal Registers, complete the appropriate forms and to use Registers Direct.	Appreciates the use and function of searches in heritable property transactions.
7.	Understand and apply the law on execution of deeds.	Updates and expands knowledge of the law and knows how different deeds and different legal personalities require to execute and create a valid deed.
8.	Appreciate the implications of a secured lender being involved in a conveyancing transaction.	Can identify the problems that arise in relation to secured borrowing and the duties owed to the lender.
9.	Understand what is required before a transaction can settle and to be able to manage post settlement issues, including the retention of funds, registration dues and fees.	Applies knowledge to a practical situation. Shows ability to manage completion of a complex transaction including liaising with the client, the lender and relevant third parties.
10.	Understand the law and practice in relation to residential leases, including the relevant statutory forms.	Can draft appropriate residential lease and relevant notices and information pack.
11.	Understand the law and practice in relation to commercial leases, including relevant documentation such as rent review agreements and licences for works.	Can draft and revise a commercial lease; can effectively review agreements and licenses.