

## CLC/SQA Diploma in Probate Law and Practice

**RQF Level 4**

**Credit value 50**

The qualification aims are to provide the learner with a theoretical and basic practical understanding of:

- The legislative and court system in England and Wales (how laws are made and disputes resolved).
- The law governing the formation, content, performance and discharge of legal contracts including defects and remedies (offer, acceptance, communication consideration, mistake and misrepresentation, legal and equitable remedies).
- The system of English Land Law and the modern system in an historical context, the doctrine of estates, easements, mortgages, covenants, freehold and leasehold, mortgages, third party rights (Unregistered and Registered Land systems, protection of interests, prescription, adverse possession, rights and duties of mortgagors and mortgagees).
- The law and procedures required to take instructions for a testamentary document (a standard range of processes and procedures when taking instructions for a Will, capacity, formalities, revocation and revival).
- The administration, winding up and distribution of an estate (the role, duties and power of Executors and Administrators, the rules of succession of property in England and Wales).
- The system of accounting for client and office monies and the regulatory framework as prescribed by the Council for Licensed Conveyancers (CLC) and anti-money laundering legislation.

Unit Title	Credit Value	Number of Guided Learning Hours
1. The English Legal System	6	32
2. Law of Contract	12	60
3. Land Law	12	60
4. Law of Wills, Succession and Grants of Representation (new)	12	60
5. Understanding Accounting Procedures for Probate Transactions (new)	8	38

New students studying the Level 4 Diploma in Conveyancing Law and Practice should commence with the unit: The English Legal System. Students will gain an understanding of the context within which the law and the principles covered in other Units operate.

Unit	Assessment				
	Learning Outcome 1	Learning Outcome 2	Learning Outcome 3	Learning Outcome 4	Learning Outcome 5
The English Legal System	Learner Statement and Short answer questions.	Short answer questions.	Short answer questions and learner recommendations to mini case-study scenarios.	N/A	N/A
Law of Contract	Essay-based response questions and/or short answer restricted response questions				
Land Law	Learner responses to two case study scenarios.	Learner responses to two case-study scenarios.	Learner responses to three case-study scenarios.	N/A	N/A
Understanding Accounting Procedures for Probate Transactions	Short answer questions and/or multiple-choice questions.	Recording of financial transactions using the double-entry book-keeping system.	Preparation of a client invoice for a Probate transaction and preparation of a simple Estate account.	N/A	N/A
Law of Wills, Succession and Grants of Representation	Learner response to a case study scenario — assessment to be integrated with Learning Outcome 2.	Learner response to a case study scenario — assessment to be integrated with Learning Outcome 1.	Learner response to a case study scenario — assessment to be integrated with Learning Outcome 4.	Learner response to a case study scenario — assessment to be integrated with Learning Outcome 3.	Short answer questions to a case study scenario.