

MODULE DESCRIPTOR

MODULE TITLE	CYPRUS PROPERTY AND SUCCESSION LAW		
MODULE CODE	LW3056 (L6)	CREDIT VALUE	20 UK CREDITS / <u>10 ECTS</u>
SCHOOL	SCHOOL OF LAW		

MODULE AIMS

This module examines both the scope and application of the property and succession/inheritance law in Cyprus – primarily the Immovable Property (Tenure, Registration and Valuation) Act (Chapter 224) and the Wills and Succession Law (Chapter 195). It introduces students to the legal framework and terminology referred in and/or related to Cyprus property and succession/inheritance law, with particular reference to the formalities, procedure, and documentation concerning different types of land in Cyprus and the rights attached thereto, the legal entitlements of heirs and third parties, and the drafting, execution and revocation of wills. In this context, it outlines the impact of EU Succession Regulation 650/2012 on Cyprus succession/inheritance law. Furthermore, students acquire the necessary skills for the production/drafting of relevant documentation in Cyprus property and succession/inheritance law.

MODULE CONTENT

Indicative syllabus content:

- Introduction, sources and overview of the Cyprus Land Ottoman Code and the Immovable Property (Tenure, Registration and Valuation) Act (Chapter 224).
- Terminology related to Cyprus property law; legal research skills.
- Types of land in Cyprus property law; classification.
- Concept of “hostile custody” (εχθρική κατοχή) and its legal consequences in Cyprus property law.
- Rights attached to land in Cyprus: possession, ownership, easements, etc.; scope and legal framework.
- Tenure (διακατοχή) and joint ownership in Cypriot property law; scope and legal framework.
- Appeal in Cyprus property law: formalities, procedures, grounds and burden of proof.
- Cyprus property law in practice: selected aspects.
- Introduction and overview of Cyprus succession and inheritance law; related terminology.
- EU Succession Regulation (650/2012): including definitions and scope; key provisions (e.g. the ‘habitual residence’ criterion for determining jurisdiction and applicable law on succession); introduction of the European Certificate of Succession; recognition and enforcement of foreign judgments in succession matters; impact of Regulation 650/2012 on Cyprus Succession Law.
- Domicile and Nationality: definition and scope; methods of identifying domicile and nationality; comparing nationality with domicile.
- Declaring a person as dead person.
- Chain of heirship: classes of heirs, categorisation, scope of succession/ inheritance rights.
- Wills: use; drafting formalities; execution and execution formalities; revocation and revocation formalities.
- Legal challenge of a will: who, when and how.
- Validity and application of a will drafted under Cyprus succession/inheritance law in relation to assets outside Cyprus and/or non-Cypriot heirs and/or settlors.
- Validity and application of a will governed by foreign succession/inheritance law in relation to assets in Cyprus and/or Cypriot settlors and/or heirs.
- Legal drafting in Cyprus property and succession/inheritance law.

INTENDED LEARNING OUTCOMES

On successful completion of this module a student will be able to:

1. Examine and employ the concepts of Cyprus property and succession/inheritance law and of the terminology used.
2. Analyse the relationship and interaction between domestic and foreign property law and succession/inheritance law in cases connected to Cyprus.
3. Illustrate the rights applicable to land in Cyprus and select an appropriate comparative legal framework for contrasting these rights.
4. Examine the procedural rules available in respect of Cyprus property and succession/inheritance law.
5. Debate the drafting of relevant documentation, including compliance with the formalities as set out in Cyprus property and succession/inheritance law.

TEACHING METHODS

The module will be delivered on campus. Delivery will be organised around lectures and seminars.

The primary objective of the lectures is to provide an outline of the subject matter and a framework for its understanding which students can use as a base for their independent study directed to the requirements of the seminars. This session will also include within it, in addition to traditional lecture delivery, small group discussions feeding into reporting back to whole groups, live quiz sessions and other interactive exercises, guest lecturers, relevant video or other pre-recorded material plus discussion and other learning activities as appropriate.

Seminars will take place weekly. Seminars will allow students to test their level and range of understanding and reflect formatively on areas of strength and weakness. Seminars will also develop and support general legal techniques and skills in support of legal reading, analysis, writing, drafting and note taking, legal problem-solving techniques, as well as test formative knowledge and understanding.

Summative assessment will focus on the accuracy of synoptic knowledge across the whole syllabus and evaluate legal problem-solving skills and the ability to create structured legal arguments (oral and written) that draw reasoned conclusions through factual scenarios that raise key legal issues from the syllabus. Module support materials (lecture outlines, lecture recordings, Office Mix presentations, Power-point slides, seminars questions, cases, case materials, technique and skills materials, exemplar assessments) will be located on a dedicated module virtual learning environment, which will also be used as the repository for assessment submission, student communication, and e-discussion boards.

ASSESSMENT METHODS

This module is assessed through one Coursework and one Legal Brief.