



Course Title	<b>Immovable Property Law</b>			
Course Code	<b>LAW211</b>			
Course Type	Compulsory			
Level	Undergraduate			
Year / Semester	2 <sup>nd</sup> / D' (Spring)			
Teacher's Name	Dr Dimitrios Devetzis			
ECTS	6	Lectures / week	3	Laboratories / week / 0
Course Purpose and Objectives	<p>The aim of the class is that the students comprehend the idea behind the Immovable Law of Rights in Rem and System applied in Cyprus. These are mainly based on the idea of survey of land for all immovable property, its recording in the Department's Registry and the recognition of the rights of those recorded and duly registered in the Department of Lands and Surveys, as well as the exception of these rules, particularly as regards the final implicit and or presumable trusts. The aim of the class is that the students understand both the technical issues and the matters of principle, the key provisions of the Immovable Law of Rights in Rem, Cap. 224, as well as of relevant legislations that concern the specific performance of contracts, which relate to the acquisition and purchase of immovable property and the legislation regulating the transfers, registration, and removal of mortgages. Further, it is the course's objective to promote the detailed studying of the Supreme Court's case law, since the principles of interpretation and enforcement of the legislation were established by its means. The complexity of the current acts relating to immovable property need to be carefully handled. More often than not, drafting documents, transfers, acquisition of shares, and even matters that concern long-term leases, creation of trusts, joint property and its administration, solving boundary differences, registration and other complex issues, need to be duly planned. Immovable property constitutes one of the large sectors of economy and development and the course aims to ensure that the</p>			

	<p>students are well-equipped in order to solve daily challenges that arise and relate to immovable property. The need for continuous improvement of the legislation will be developed through the promotion of critical thinking and encouragement for further research. Specialized chapters of the immovable Law of Rights in Rem, also constitute a law pertaining to tenancies, whether statutory or not.</p>
<p>Learning Outcomes</p>	<p>Upon completion of the series of lectures, the students will be in the position to:</p> <ul style="list-style-type: none"> <li>Acquire the necessary background of knowledge with respect to the provisions of the main legislation on immovable property, and even other relevant regulations that pertain to transfers, mortgages, and specific performance of land sale contracts.</li> <li>Understand the idea behind the system and the need for registration, as well as the exceptions of all rights that derive or relate to immovable property.</li> <li>Study and comprehend the case law of the Supreme Court and its development since the end of the decade 1890 onwards until today, as well as the historical development of the immovable Law of Rights in Rem.</li> <li>Obtain the ability to understand the challenges and solve them, taking into consideration the complexity that often exists in this sector.</li> <li>Develop the competence to relate the immovable Law of Rights in Rem with other relevant and related laws, such as the succession law, the equity law, trust and Contract Law.</li> <li>Gain adequate knowledge around the law pertaining to rent, whether or not statutory, together with the ability of handling cases before Court.</li> <li>Familiarize themselves with the procedures followed when appearing before competent Courts, whether in the form of appeals against judgments of the Department of Lands and Surveys or before the Rent Control Tribunal.</li> </ul>

Prerequisites	None	Required	None
Course Content	<p>The historical development of the Court, the concept of immovable property and the rights that relate to or derive from it will be developed during the course of these lectures. Moreover, the need for registration pursuant to the law, joint property and its administration, trusts and even long-term rentals of more than 15 years will be examined. The methods and principles for the administration and or conveyance of shares in immovable property, their unification, the acquisition of an unregistered property by virtue of hostile occupation, registration of the immovable property, as well as mortgages and the relevant law governing the transfers and mortgages. Development of the Law as regards the execution of immovable property sale contracts, with reference to the contemporary tendencies of the case law and the legislation. Solving boundary disputes and correction of errors. The right that regulates the rights of way, the registry of the Department of Land, the land survey drawings and all kinds of encumbrances, except for mortgages. The development and progress of the case law of the Supreme Court, compared to judgments of English Courts in the field of immovable Law of Rights in Rem will be examined, as well.</p>		
Teaching Methodology	<p>Lecture: 20 hours</p> <p>Discussion: 12 hours</p>		
Bibliography	<ol style="list-style-type: none"> <li>1. Christos Ioannou: Department of Lands and Surveys, Main Legislation and Procedures, 1990.</li> <li>2. Andreas P. Ioannides: Department of Lands and Surveys, Section A and B volume 1994 - 1998.</li> <li>3. Andreas Symeou: Protection of Ownership and its expropriation in Cyprus.</li> <li>4. Grey, K and SF: CORE TEXTS, ELEMENTS OF LAND LAW, Butterworths, Latest Edition</li> <li>5. Mackenzie J &amp; Phillips M: TEXTBOOK ON LAND LAW, Oxford University Press, Latest Edition</li> <li>6. Smith, R: PROPERTY LAW, Longmans, Latest Edition</li> </ol>		

	7. Thompson, MP: MODERN LAND LAW, Oxford University Press, Latest Edition  Law of Rights in Rem
Assessment	Exam(s): 60%  Assignment(s): 30%  Attendance / Participation: 10%
Language	Greek

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Course Code	<b>LAW 211</b>			
Course Type	Compulsory			
Level	Undergraduate			
Year / Semester	2 <sup>nd</sup> / D' (Spring)			
Teacher's Name	Dr Vasiliki Karagouni			
ECTS	6	Lectures / week	3	Laboratories / week
Course Purpose and Objectives	<p>The aim of the class on Law of Rights in Rem is to present the students with the rules they will study and which regulate what is generally known as Property Law and are defined by the third part (book) of the Greek Civil Code. More specifically, the class aims to analyse the absolute rights over things, such as ownership (freehold, bare, joint ownership, etc.), possession (acquisition, loss and protection of possession), servitudes (real and personal servitudes - usufruct), pledge (contractual, joint and nominal) and mortgage (concept, features, composition and abolishment of mortgage, prenotation of mortgage).</p> <p>Moreover, the class aims at presenting the students with the institutions of Law of Rights in Rem in a manner that is as methodical as possible, including the provision of solutions to current challenges, particularly with respect to the recent significant legislative amendments (such as the Hellenic Cadastre laws, regarding expropriations, pledge on movable property without delivery, lease finance, etc.).</p>			
Learning Outcomes	<p>By completing the series of lectures students will be able to:</p> <ul style="list-style-type: none"> <li>- Determine the subject of the law of rights in rem and its place in civil law.</li> <li>- Explain the meaning of the "thing" and its discrimination and name the categories of property rights.</li> <li>- Distinguish the law from real rights and analyse how it is acquired, exercised and lost.</li> <li>- To ascertain the dominant character of the right of ownership and to control the manner in which ownership of movable and immovable property</li> </ul>			

	<p>is acquired and protected.</p> <ul style="list-style-type: none"> <li>- Identify provisions of law of neighbors.</li> <li>- Analyse the general principles and content of servitudes and name their categories.</li> <li>- Distinguish between real estate and the rights and obligations arising from pledge and mortgage.</li> <li>- Describe the principles and mechanism of Land Registry law.</li> <li>- Apply the relevant provisions of the Civil Code to practical problems.</li> </ul>		
Prerequisites	LAW 111, General Principles of Civil Law	Required	None
Course Content	<ul style="list-style-type: none"> <li>- Introduction to the subject matter of law of rights in rem.</li> <li>- Concept of the thing and discrimination of things.</li> <li>- Meaning, acquisition, content, protection and loss of possession.</li> <li>- Types of rights in rem.</li> <li>- Acquisition, incorporation, transfer, loss, limitations and protection of movable and immovable property.</li> <li>- Usability as a way of acquiring ownership.</li> <li>- Neighbour law provisions</li> <li>- Types and general principles of servitudes, acquisition, protection and depreciation.</li> <li>- The concept of collateral, rights and obligations deriving from pawn and mortgage.</li> <li>- Principles governing the law of the Land Registry, process of land registration.</li> </ul>		
Teaching Methodology	<p>Lecture: 20 hours</p> <p>Discussion: 12 hours</p>		
Bibliography	<ul style="list-style-type: none"> <li>- I. Spyridakis, Legal protection of possession, Sakkoulas, 2019.</li> <li>- I. Spyridakis, Permission of passage by CC 1012-1017, Sakkoulas, 2018.</li> <li>- V. Vathrakokilis, The Possession, Sakkoulas, 2015.</li> </ul>		

	<ul style="list-style-type: none"> <li>- V. Vathrakokilis, The Litigation, Sakkoulas, 2014.</li> <li>- A. Kornilakis, Usufruct, Sakkoulas, 2013</li> <li>- Ap. Georgiadis, Practical matters of law of rights in rem, Sakkoulas, 2012.</li> <li>- Spyridaki: Property Law I, II and III, Ant. N. Sakkoula, 2001.</li> <li>- I. Karakostas, Civil Code - Property - Volumes 7A and 7B, Nomiki Bibliothiki, 2010.</li> <li>- F. Nikolaou, Acquisition of mobile ownership by a bona fide business partner, Law Library, 2014.</li> <li>- D. Argiriou, The Law of the Land Registry, Nomiki Bibliothiki, 2013.</li> <li>- D. Papasteriou, Property Law, Sakkoulas, 2011.</li> <li>- Ap. Georgiadis, Property Law, Sakkoulas, 2010.</li> <li>- P. Filios, Property Law, Sakkoulas, 2011.</li> <li>- D. Papasteriou, Property law, volumes I, II, III, Sakkoulas, 2008.</li> <li>- V. Tsoumas, Christusia, Nomiki Bibliothiki, 2007.</li> <li>- K. Vavouskos, Real Estate, 6th Edition, Sakkoulas, 1986.</li> </ul>
Assessment	<ul style="list-style-type: none"> <li>• Attendance and participation (10%)</li> <li>• Mid-term examination with practical problem solving, theory and legislation application (20%)</li> <li>• Multiple Choice Progress Test (10%)</li> <li>• Final Examination (60%)</li> </ul>
Language	Greek