

Elements of Constructive Trusts

ELEMENTS	DESCRIPTION
Trust Property	Property in Question That Is the Subject of the Constructive Trust, Which May Have Been Acquired Through Wrongful Means, Such as Fraud or Breach of Fiduciary Duty
Beneficiary	Party Who Has a Claim to the Trust Property, Which May Be the Rightful Owner or Someone Who Has a Claim Due to Wrongdoing by the Trustee
Trustee	Party Who Holds the Trust Property and Is Responsible for Administering the Trust, Often the Party Who Wrongfully Acquired the Property in Question

Constructive Trusts

Alastair Hudson



Constructive Trusts:

Constructive Trusts and Unjust Enrichment Sir Nicolas Browne-Wilkinson, 1991 Equity and Trusts Alastair Hudson, 2005 Equity and Trusts has quickly established itself as a market leader due to its clarity, insight and accessibility in what is perhaps the most complex of legal areas. Hudson's scholarly account of the subject makes this text sufficiently authoritative for trust practitioners but also provides a comprehensible introduction for a student audience. As in previous editions, the traditional doctrines are analysed in the context of current issues and the book's progressive approach intersperses discussion of the core ideas with clear examples. This fourth edition has been extensively rewritten and includes new chapters on understanding the trust, certainty in the creation of express trusts, the rights of beneficiaries and the beneficiary principle, formalities in the creation of express trusts, constructive trusts, breach of trust, miscellaneous equitable remedies. Individual essays on the nature of express trusts, the law on fiduciaries, family law, human rights law and equity draw together the main principles while examining related questions of restitution and social justice. This book is essential reading for all those seeking a modern approach to this crucial area of law. Constructive Trusts A. J. Oakley, 1978

Explaining Constructive Trusts Gbolahan Elias, 2002 Concerned with rationalizing the rules, Preface p v of constructive trusts, this reappraisal of the English law of trusts discounts two major existing theses regarding the rules: first, that based on the North American experience they should be considered as instruments of restitution; and second, that they are disorganized and advances Elias' new thesis that the rules should be regarded as instruments for the rational furtherance of three good aims: 1. making disponents abide by their dispositions; 2. making those who gain through loss to others give the gains up to those others; 3. making those who inflict losses on others repair those losses. Preface p v *Cases & Materials on Trusts* Mohamed Ramjohn, 2004 This new edition has been considerably revised to take account of recent major statutory and case law developments. The Contracts (Rights of Third Parties) Act 1999 introduced a significant improvement in the rights of third parties to enforce contracts. The Trustee Delegation Act 1999 and the Trustee Act 2000 have had a profound effect in updating the law concerning trustees' duties and powers. Important new cases covered include *Foskett v McKeown* (tracing), *Pragon Finance Ltd v Thakerar* (constructive trusts), *Air Jamaica v Charlton* (resulting trusts), *Choithram International v Pagarani* (constitution of trusts), *Twinsectra Ltd v Yardley* (accessory liability), *Wight v Olswang* (exclusion clauses), *Southwood v AG* (charities), *Schmidt v Rosewood Trust* (disclosure of trust documents), *Pennington v Waine* (gifts of shares), *Le Foe v Le Foe* (indirect contributions to family assets), *Gwembe Valley Development Co Ltd v Koshy* (limitation periods), *Duggan v Governor of Full Sutton Prison* (intention to create a trust), *OT Computers Ltd v First National Tricity Finance Ltd* (certainty of objects) and many more. Each chapter includes an exposition of the fundamental principles of trusts law in a readable and intelligible form, supplemented by extracts from judgments of leading cases. References to other relevant cases, statutes, articles and official reports are also incorporated where appropriate. **Trusts Law** Graham Moffat, 2005-09-29 With its unique contextual

emphasis and authoritative commentary Trusts Law Text and Materials is a book that no serious undergraduate on trust law courses can afford to be without The book is divided into four main parts trusts and the preservation of family wealth trusts and family breakdown trusts and commerce and trusts and non profit activity Within each of these parts leading cases statutes and historical and research materials are placed alongside the narrative of the author s text to give emphasis both to general theories of trust concepts and to the practical operation of trusts Attention is also given to important themes such as the developing relationship between trusts law and other areas of private law such as the Law of Restitution This new edition takes account of all relevant judicial and legislative developments since the third edition and expands discussion of key themes in current developments of the law

Constructive Trusts Malcolm Cope,1992 **Understanding Equity & Trusts** Alastair Hudson,2008 Understanding Equity Trusts provides an accessible readable and comprehensive overview of the main themes in this dynamic area of the law It will be of interest to students struggling to cope with the increasingly complex field of trusts law and to those revising for exams

Todd & Wilson's Textbook on Trusts Sarah Wilson,2013-04-11 Written in an enthusiastic and student friendly style Todd Wilson s Textbook on Trusts explains the basic principles and rules of trusts law in a clear and unintimidating way The book delivers focused intellectually stimulating content and gives in depth coverage of the key areas taught on the undergraduate course

Essential Equity and Trusts Kirsten Edwards,2000-03 Essential Australian Equity and Trusts provides a clear and concise guide to the key elements in the law syllabus The book is written specifically for law students primarily at undergraduate level but it will also be helpful to students studying law as part of their course

Unlocking Trusts Mohamed Ramjohn,2013-06-03 Unlocking Trusts brings the law to life with diagrams key facts charts and activities to ensure that you engage with and fully understand trusts

Proprietary Remedies in Context Craig Rotherham,2002-04-23 The book examines redistributive processes such as tracing subrogation and proprietary estoppel and the use of the constructive trust

A Treatise on the Law of Trusts and Trustees Jairus Ware Perry,1889

Equity & Trusts Alastair Hudson,2013-03-04 This new edition considers all of the academic commentary governing the area of equity and trusts in particular the emerging law of restitution and the raft of new case law over the 1990s It is suitable both as a sholarly reference and as a resource for students

Equity and Trusts in Australia M. W. Bryan,V. J. Vann,S. Barkehall Thomas,2022-10-31 Equity and Trusts in Australia offers an accessible introduction to the principles of Australian equity and trusts law for students linking key doctrines to their wider relationship with the law The text covers foundational topics of equity and trusts law including the nature of equity fiduciary relationships and trust structures This edition has been revised to include recent landmark decisions and a new chapter on termination and variation of trusts Each chapter concludes with a guide to the online resources which encourage students to extend their knowledge of the content through further reading practice problems and discussion topics Written by a team of experienced authors Equity and Trusts in Australia is an ideal text for students undertaking this area of study for the first time A

Sourcebook on Equity and Trusts in Australia is also available and provides cases and primary legal materials to accompany Equity and Trusts in Australia

The Principles of Equity & Trusts Graham Virgo, 2018 The Principles of Equity and Trusts brings an engaging contextual approach to the subject Graham Virgo overcomes the complex issues in the study of trusts and equity with unparalleled clarity offering a rigorous and insightful commentary on the law and its contemporary contexts

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Principles of Equity and Trusts Alastair Hudson, 2016-06-10 Principles of Equity and Trusts is a concise new textbook from Alastair Hudson the author of the definitive classic Equity and Trusts Through clear and careful analysis the author explains what the law is its foundational principles and its social and economic effect By beginning with the core principles on which this field is based even the most complex academic debates concerning express resulting and constructive trusts the family home charities law and other equitable doctrines become comprehensible and interesting This book offers a fresh lively and often humorous account of Equity and Trusts Through easy to follow worked examples and analysis of the case law Alastair helps you to answer problem questions and to prepare coursework The author shows how the law affects real people in real situations Each chapter begins with a clear and concise introduction to the core principles It contains numbered headings for ease of navigation and advice on studying this subject Students also have access to Professor Hudson's ever popular supporting website which has had hundreds of thousands of hits over the years It has over 50 brief podcasts on key issues which have been specially re-recorded to coincide with the publication of this book That website also contains detailed lectures a variety of videos explaining the law and guidance on tackling assessments Characterised by the passion and enthusiasm for his subject matter that make Alastair Hudson's classic textbook so popular Principles of Equity and Trusts is sure to be a winner with both academics and students alike

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