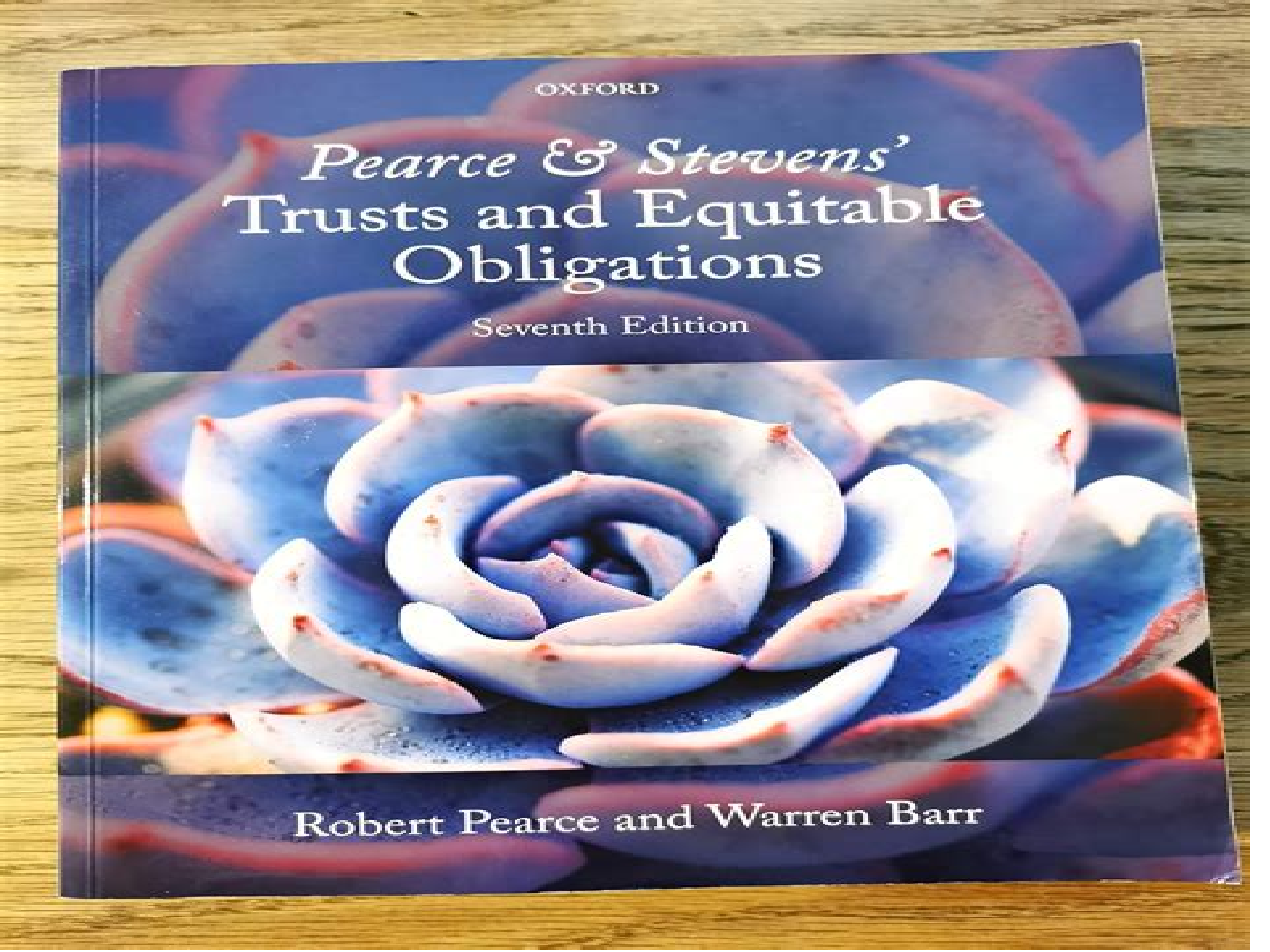




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Debates in Charity Law John Picton, Jennifer Sigafoos, 2020-05-14 Charitable organisations occupy a central place in society across much of the world accounting for billions of pounds in revenue As society changes so does the law which regulates nonprofit organisations From independent schools to foodbanks they occupy a broad policy space Not immune to scandals sometimes nonprofits are in the news for all the wrong reasons and so when they are in the public eye regulators must respond to high profile cases In this book a team of internationally recognised charity law experts offers a modern take on a fast changing policy field Through the concept of policy debates it moves the field forward providing an important reference point for developing scholarship in charity law and policy Each chapter explores a policy debate setting out the fault lines in play and often offering proposals for reform Two important themes are explored in this edited collection First there is a policy tension in charity law between its largely conservative history and the need to keep up to date with social change This pressure is felt acutely along key fault lines such as the extent to which a body of law which developed before the advent of legislated human rights is able to adapt to a rights based world and the extent to which independent schools historically so closely linked with charity might deserve their generous tax breaks The second theme explores the law from the perspective of a good faith regulator concerned to maximise the usefulness of charities From the need to reform old organisations to the need to ensure that charities enjoy the right amount of regulatory freedom in a world of payment by result contracts the book critically charts the policy justifications for regulatory intervention as well as the costs that such intervention might bring Debates in Charity Law will be of interest to both academic researchers and students of the non

profit sector looking to understand the links between law social change and regulation It will also help and guide nonprofit employees and volunteers showing how their sector is shaped and moulded by the law

Understanding the Law of

Assignment C. H. Tham,2019-10-17 Explains how intangible assets such as contractual debts or equitable entitlements may be assigned under English law

Landmark Cases in Succession Law Brian Sloan,2019-10-31 The Landmark Cases series highlights the historical antecedents of what are widely considered to be the leading cases in a discipline and seeks to provide contexts in which to better understand how and why certain cases came to be regarded as the landmark cases in any given field Succession law s long pedigree near universal application immense capacity for human interest stories somewhat uncertain future in England and Wales and close connection to demographics make it an ideal candidate for a Landmark Cases volume The distinguished contributors to this collection consider cases ranging from 1720 to 2017 covering issues such as will making and interpretation the position of beneficiaries and personal representatives testamentary promises and the extent of testamentary freedom in England and Wales and beyond The cases are relevant not only to scholars and students of succession law per se but also those working in fields such as tax trusts tort and land law They raise issues as diverse as class colonialism familial dynamics expectations and obligations mental health and the proper roles of the legal profession and the welfare state The collection will provoke much discussion on what makes a landmark case as well as on the peculiarities and limitations of the case law method

Complete Equity and Trusts Richard Clements,Ademola Abass,2018 Complete Equity they ve been carefully developed with teachers to offer law students more than just a presentation of the key concepts Instead they offer a complete package Only by building on the foundations of the subject by showing how the law works demonstrating its application through extracts from cases and judgments and by giving students the tools and the confidence to think critically about the law will they gain a complete understanding This book is accompanied by free online resources which feature resources for students and lecturers including the following Guidance for answering end of chapter questions in the book Self test question with instant feedback A flashcard glossary of key terms Updates on legislation and case law

Equity and Trusts Richard Clements,Ademola Abass,2015 Complete Equity Trusts provides a blend of explanatory text cases and materials making it ideal for students new to equity and trusts In this student centred and approachable text complex topics are explained clearly and succinctly

Separation and Abstraction in Property Transfers Zhicheng WU,2023-05-08 This book argues that there are three dividing lines regarding modes and consequences of property transfers which should not be conflated by comparative lawyers namely intent alone versus intent plus unitary approach versus separatist approach and causality versus abstraction Unlike Chinese law English law takes a non unified approach not only in the stage of transfer but also in the stage of restitution where the consequence in relation to the property right transferred under a flawed underlying basis can be purely causal purely abstract and abstract in common law but causal in equity Nevertheless abstraction is normatively more justifiable than causality

Modern Studies in

Property Law, Volume 11 Sue Farran, Russell Hewitson, Adam Ramshaw, 2021-07-29 What are the contemporary challenges faced by property law as we enter the 2nd decade of the 21st century This collection brings together the research and perspectives of an international body of academics and practitioners to consider these challenges and how even familiar topics must develop to meet new demands and developments As with previous books in the Modern Studies in Property Law series this volume adopts a broad approach to topics encompassed by property law in the firm belief that the boundaries that divide are shadowy at best and constantly moving in the endeavour to keep up with what is modern This collection looks at 5 themes Comparative perspectives including a chapter on grazing and cropping rights in Northern Ireland and analysis of the anomalies of the English trust law as seen from a civil law perspective Taking and alienating property including a chapter on bankruptcy and the family home Modern dilemmas including chapters on trusts in virtual currency and on smart homes Old chestnuts new challenges including analysis of the mortgage law reform in Scotland and a chapter on the ouster principle in common law jurisdictions and Wills death and other morbid topics with chapters on English succession law and the role of knowledge and approval in retrospective assessments of capacity Unfortunately the COVID 19 pandemic prevented the 13th biennial conference being held in 2020 as planned but despite this the authors and co editors persevered to produce this interesting and diverse collection

Family Law Ruth Lamont, 2022 This innovative textbook explores the compelling debates that bring family law alive offering a critical guide to the subject Under the expert editorship of Ruth Lamont each author has crafted a superbly clear guide to their specialist topic with a focus on areas of controversy and essential context

Introduction to Equity and Trusts - Revision Guide Justin Brunsell, 2024-06-28 The greatest contribution to English law has been the concept of a trust and equitable ownership and while its origins date back to the Middle Ages the use of trusts is alive and well forming the basis of many settlements Equity has allowed the Law in particular Land Law to grow and develop providing new rights and remedies allowing it to evolve and adapt to changing situations and new demands imposed by modern society This has led to a debatable fusion between the Common Law and Equity giving rise to a single coherent body of law In reality it is best to think of two systems or streams of law sitting side by side and giving effect to the law as it stands today As the origin of the claim or right can affect the remedy available and through a process of evolution some equitable principles have been absorbed into the Common Law as distinct rights Therefore thinking of Law and Equity as totally separate and distinct will only hinder the understanding of both and impede the development of English Law This book is superbly outlined with clear learning outcomes It undoubtedly provides a practical overview of Equity and Trusts It will be an indispensable source for law students Professor zg r H nar Deputy Head of School of Law and Criminology University of Greenwich UK CONTENTS CHAPTER I INTRODUCTION HISTORY SOURCES AND TRUSTS CHAPTER II THE THREE CERTAINTIES CHAPTER III FORMALITIES OF A TRUST CHAPTER IV THE CONSTITUTION OF A TRUST CHAPTER V DEATHBED GIFTS CHAPTER VI THE BENEFICIARY PRINCIPLE CHAPTER VII THE PERPETUITY PRINCIPLE CHAPTER

VIII UNINCORPORATED ASSOCIATIONS CHAPTER IX CHARITABLE TRUSTS CHAPTER X DOCTRINE OF CY PR S CHAPTER XI IMPLIED TRUSTS AND TRUSTS IN THE FAMILY HOME CHAPTER XII PROPRIETARY ESTOPPEL CHAPTER XIII QUISTCLOSE TRUSTS CHAPTER XIV SECRET TRUSTS CHAPTER XV TRUSTEE POWERS AND DUTIES CHAPTER XVI FIDUCIARY DUTIES CHAPTER XVII STRANGERS TO A TRUST THIRD PARTY LIABILITY CHAPTER XVIII TRACING TRUST PROPERTY CHAPTER XIX REMEDIES SUMMARY SAMPLE TEST QUESTIONS

Modern Studies in Property Law - Volume 9 Heather Conway, Robin Hickey, 2017-07-27 This book contains a collection of peer reviewed papers presented at the Eleventh Biennial Modern Studies in Property Law Conference held at Queen s University Belfast in April 2016 It is the ninth volume to be published under the name of the Conference The Conference and its published proceedings have become an established forum for property lawyers from around the world to showcase current research in the discipline This collection reflects the diversity and contemporary relevance of modern research in property law Following a foreword from the keynote speaker at the Conference Queen s alumnus Lord Kerr of Tonaghmore the chapters address a range of issues from the nature of land law and property rights through claims to the home and digital assets to the growing debate on the nature of public property Collectively the chapters demonstrate the vibrancy and importance of property law in dealing with modern concerns across the common law world

Animal Ethics and Animal Law Andrew Linzey, Clair Linzey, 2022-11-07 Animal law is a growing discipline as is animal ethics In this wide ranging book scholars from around the world address the intersections between the two Specifically this collection focuses on pressing moral issues and how law can protect animals from cruelty and abuse A project of the Oxford Centre for Animal Ethics the book is edited by the Oxford Centre s directors Andrew Linzey and Clair Linzey and features contributions from many of its fellows Divided into three sections the work explores historical perspectives and ethical legal issues such as personhood and property before focusing on five practical case studies The volume introduces readers to the interweaving between these subjects and should act as a spur to further interdisciplinary work

Capitalism and the Equity Fetish Robert Herian, 2021-01-21 This book is a provocative interdisciplinary and critical appraisal of civil justice property and the laws that shape and command them within capitalism Dr Herian s book is both a complementary and countervailing narrative to many mainstream legal accounts one that critiques core and influential areas of legal knowledge and practice Central to the book s thesis is a rich collaboration of ideas and perspectives that consider what is at stake from institutions concepts and practices of equity and civil justice tied to the subjective psychic life and the unconscious desires of capitalist stakeholders The book aims to address several questions including how capitalism has imagined and shaped equity and civil justice since the nineteenth century how capitalism acts as a well spring of desire for forms of justice that wrap around and sustain complex frameworks of private property power and ownership and how equity supports agile neoliberal strategies of justice and reason in the twenty first century

Equity and Administration P. G. Turner, 2016-05-26 Each generation of lawyers in common law systems faces an important question what is the nature of

equity as developed in English law and inherited by other common law jurisdictions While some traditional explanations of equity remain useful including the understanding of equity as a system that qualifies the legal rights people ordinarily have under judge made law and under legislation other common explanations are unhelpful or misleading This volume considers a distinct and little noticed view of equity By examining the ways in which courts of equity have addressed a range of practical problems regarding the administration of deliberately created schemes for the management of others affairs modern equity can be seen to have a strongly facilitative character The extent and limits on this characterisation of equity are explored in chapters covering equity s attitude to administration in various public and private settings in common law systems

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