



Protecting Reliance

**The Emergent
Doctrine of Equitable
Estoppel**

Michael Spence

B L O O M S B U R Y

Protecting Reliance The Emergent Doctrine Of Equitable Estoppel

Ewan McKendrick



Protecting Reliance The Emergent Doctrine Of Equitable Estoppel:

Protecting Reliance Michael Spence, 1999-06-19 One party induces an assumption in the mind of another Australian law has arguably given expression to three moral duties relating to induced assumptions the duty to keep promises the duty not to lie and the duty to ensure the reliability of induced assumptions This book expounds the third of these duties and shows how it can be used to shape equitable estoppel a doctrine emerging from the decisions of the High Court of Australia in *Waltons Stores and Verwayen* It does not purport to cover the entire law of estoppel but does examine analytically how the doctrine might operate in a series of problematic cases at the edge of contract law **Contract Law** Ewan

McKendrick, 2014 The sixth edition of Ewan McKendrick's *Contract Law Text Cases and Materials* provides a complete guide to the subject in a single volume containing everything needed for the study of contract law at undergraduate level The book comprises a unique balance of 40% text to 60% cases and materials combining the best features of a textbook with those of a traditional casebook The author's clear explanations and analysis of the law provide invaluable support to students while the extracts from cases and materials promote the development of essential case reading skills and allow for a more detailed appreciation of the practical workings of the law Online Resource Centre The book is accompanied by an Online Resource Centre which includes Extra material with in depth coverage of topics such as illegality and incapacity Updates on recent developments in the law Annotated web links to key sources of information on contract law Lecturer access to a test bank of multiple choice questions and answers *Dimensions of Private Law* S. M. Waddams, 2003-07-10 This book considers the

inherent complexities of private law relevant to property tort contract legal method and legal theory **The Law of Obligations** Andrew Robertson, 2012-07-23 This collection of essays makes an important contribution to debate about the structure underlying private law and the relationships between its different branches The contributors including leading private law scholars from Australia England and Canada provide valuable insights by looking beyond the traditional categories and accepted structure of the law of obligations This book covers three topics The first is concerned with classification and the law of remedies The chapters on this topic deal with both the classification of remedies themselves and with remedial issues that cross classificatory boundaries within the law of obligations The chapters on the second topic reconsider some of the boundaries drawn by judges and scholars within the law of obligations The third topic deals with the relationship between obligations and property The chapters in this book offer illuminating new perspectives on fundamental issues in the law of obligations Together they provide a thought provoking reconsideration of connections and boundaries in private law Private Law and the Rule of Law Lisa M Austin, Dennis Klimchuk, 2014-12-18 The rule of law is widely perceived to be a public law doctrine concerned with the way in which governmental authority conforms to the dictates of law The goal of this book is to challenge this presumption The chapters in this volume all consider the idea that the rule of law concerns the nature of law generally and the conditions under which any relationship that among citizens as well as that

between citizens and the state becomes subject to law Addressing two major questions they ask if our understanding of the rule of law is enriched by considering how and to what degree it is expressed or realized in private law and whether our understanding of the private law is enriched by adding the principles of the rule of law to the traditional list of core private law concepts Bringing together leading philosophers of private and public law this volume examines key questions in a little explored field and will be essential reading for all those interested in the rule of law and in private law theory

Philosophical Foundations of Property Law James Penner, Henry Smith, 2013-11-28 Property has long played a central role in political and moral philosophy Philosophers dealing with property have tended to follow the consensus that property has no special content but is a protean construct a mere placeholder for theories aimed at questions of distributive justice and efficiency Until recently there has been a relative absence of serious philosophical attention paid to the various doctrines that shape the actual law of property If the philosophy of property is to be more attentive to concepts lying between broad considerations of political philosophy and distributive justice on the one hand and individual rules on the other what in this broad space needs explaining and how might we justify what we find The papers in this volume are a first step towards filling this gap in the philosophical analysis of private law This is achieved here by revisiting the contributions of philosophers such as Hume Locke Kant and Grotius and revealing how particular doctrines illuminate the way in which property law respects the equality and autonomy of its subjects Secondly by exploring the central notions of possession ownership and title and finally by considering the very foundations of conceptualism in property

Rationalising Constructive Trusts Ying Khai Liew, 2017-09-21 Constructive trusts significantly interfere with the rights of an apparent legal owner of property This makes it necessary for their imposition to be properly explained and justified Unfortunately attempts to rationalise constructive trusts as a whole as opposed to specific doctrines or particular aspects of constructive trusts have been few and far between Rationalising Constructive Trusts proposes a new structure for a coherent understanding of constructive trusts By using a combination of conceptual tools it provides answers to a number of crucial questions for example What are the ingredients of a constructive trust claim What are the limits of constructive trusts How can we rationalise the imposition of constructive trusts in particular situations Why do judges exercise varying degrees of remedial discretion in different doctrines From a wider perspective the structured understanding helps us to appreciate the precise ambit and role of express constructive and resulting trusts

Reasoning with Law Andrew Halpin, 2001-12-12 The reader is invited to follow a route that visits Fish's view of theory and practice Raz's legal reasoning thesis theoretical models of judicial review Dworkin's right answer thesis the law of the excluded middle and Lukasiewicz's development of three valued logic Wittgenstein's language games and Moore's metaphysical realism The destination is the practice at the heart of legal reasoning It is suggested that this manifests the way in which the limitations of language and the incompleteness of human experience allow the opportunity for coherent development of the law and at the same time produce an inherent incoherence within the law The central part of

the book seeks to demonstrate how the problems of understanding legal reasoning replicate difficulties encountered in the philosophy of language but challenges the attempts that have been made to harness approaches from within that discipline to illuminate legal reasoning. Instead it is argued that law provides an unrivalled test bed for examining the limits of the capacity of our words and that the study of law may be used to confront in a robust and illuminating manner the limitations of that discipline. The final chapter considers some of the implications of recognising the incoherence at the heart of legal reasoning, commenting on an institutional approach to law, the legitimacy of law, legal definitions, different approaches to legal reasoning, the role of appellate courts, the general possibility of providing a theoretical model of law, the use of legal rules and the nature of law's critical aperture. The book should be of interest to advanced undergraduate students, particularly on jurisprudence courses, postgraduate students, academics and practitioners concerned to reflect on the nature of the discipline they practice.

Enforcing Corporate Social Responsibility Codes Anna Beckers, 2015-10-22. Corporate social responsibility codes are guidelines that companies voluntarily develop and publish with the objective of showing the public their commitment to respect human rights, to improve fundamental workplace standards worldwide and to protect the natural environment. These corporate codes have become a crucial element in the regulatory architecture for globally operating companies. By focusing on the characteristics of the codes, their effects on society and their legal consequences, this book seeks to provide a comprehensive analysis of corporate codes and the law. Enforcing Corporate Social Responsibility Codes develops proposals on the relationship between global corporate self-regulation and the national private law systems. It uses methods of comparative law and sociological jurisprudence to argue that national private law can and in fact should enforce these codes as genuine legal obligations. The author formulates legal policy recommendations for English and German private law that indicate how the proposed legal enforcement could be realised in practice. The dissertation on which this book is based was awarded the second prize in the humanities category of the Deutscher Studienpreis (German Thesis Award) by the Koerber Foundation in November 2015.

Contract Law Mindy Chen-Wishart, 2015. This textbook provides an accessible account of the intricacies of contract law and the problems that can arise during the life of a contract. These problems, along with their solutions, are discussed in detail using everyday language that stimulates thought and reflection.

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