
RESTITUTION
AND EQUITY
VOLUME 1:
RESULTING TRUSTS
AND EQUITABLE
COMPENSATION

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PETER BERKS AND
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Restitution And Equity 1 Resulting Trusts And Equitable Compensation

**Jonathan Garton, Rebecca
Probert, Gerry Bean**



Restitution And Equity 1 Resulting Trusts And Equitable Compensation:

Restitution and Equity Volume 1: Resulting Trusts and Equitable Compensation Peter Birks, Francis Rose, 2020-11-25 The first part of this volume collates papers from the Second Mansfield Symposium which examined the areas of equity trusts and restitution The second part addresses the emerging field of equitable compensation and its implications

Restitution and Equity Peter Birks, Francis D. Rose, 2000

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

Constructive and Resulting Trusts Charles Mitchell, 2010-03-03 Constructive and resulting trusts have a long history in English law and the law which governs them continues to develop as they are pressed into service to perform a wide variety of different functions for example to support the working of express trusts and other fiduciary relationships to allocate family property rights and to undo the consequences of commercial fraud However while their conceptual flexibility makes them enormously useful it also makes them hard to understand In the twelve essays collected in this volume the authors shed new light on various aspects of the law governing constructive and resulting trusts revisiting current controversies bringing new historical material to the fore and offering new theoretical perspectives

Moffat's Trusts Law Jonathan Garton, Rebecca Probert, Gerry Bean, 2020-05-14 Always the serious student's choice for a Trusts Law textbook the new seventh edition of Moffat's Trusts Law once again provides a clear examination of the rules of Trusts retaining its hallmark combination of a contextualised approach and a commercial focus The impact of statutory developments and a wealth of new cases including the Supreme Court and Privy Council decisions in *Patel v Mirza* 2016 UKSC 42 *PJS v News Group Newspapers Ltd* 2016 UKSC 39 *Burnden Holdings v Fielding* 2018 UKSC 14 and *Federal Republic of Brazil v Durant* 2015 UKPC 35 are explored A streamlining of the chapters on charitable Trusts better to align the book with the typical Trusts Law course helps students understand the new directions being taken in the areas of Trust Law and equitable remedies

Pearce & Stevens' Trusts and Equitable Obligations Robert A. Pearce, Warren Barr, 2015 Pearce Stevens Trusts and Equitable Obligations provides students with a detailed and stimulating account of the law of equity and trusts The authors clear and authoritative writing illuminates the law and its practical application

Measuring Damages in the Law of Obligations Sirko Harder, 2010-07-12 This book challenges certain differences between contract tort and equity in relation to the measure in a broad sense of damages Damages are defined as the monetary award made by a court in consequence of a breach of contract a tort or an equitable wrong In all these causes of action damages usually aim to put the claimant into the position the claimant would be in without the wrong Even though the main objective of damages is thus the same for each cause of action their measure is not While some aspects of the measure of damages are more or less harmonised between contract tort and equity e.g. causation in fact and mitigation significant differences exist in relation to 1

remoteness of damage which is the question of whether when and to which degree damage needs to be foreseeable to be recoverable 2 the compensability of non pecuniary loss such as pain and suffering distress and loss of reputation 3 the effect of contributory negligence which is the victim's contribution to the occurrence of the wrong or the ensuing loss through unreasonable conduct prior to the wrong 4 the circumstances under which victims of wrongs can claim the gain the wrongdoer has made from the wrong and 5 the availability and scope of exemplary or punitive damages For each of the five topics this book examines the present position in contract tort and equity and establishes the differences between the three areas It goes on to scrutinise the arguments in defence of existing differences The conclusion on each topic is that the present differences between contract tort and equity cannot be justified on merits and should be removed through a harmonisation of the relevant principles

The Principles of Equity and Trusts Graham Virgo, 2012-05-03 The Principle of Equity and Trusts offers students a new approach to this dynamic area of law Professor Graham Virgo has created a rigorous yet accessible student companion which draws the field in its contemporary context offering a critical and insightful commentary on the law its application and development The text communicates the dynamic and thought provoking nature of this area of law and reflect the modern understanding of the subjects as propounded both by the judiciary and commentators The text offers a student focused approach providing a clearly written and accessible guide to this most fascinating area of law while equally providing the critical rigour and referencing expected from academics in the field The Principle of Equity and Trusts promises to be a new classic in the field of equity and trusts textbook one which is admired by lecturers and students alike

Trusts Law Graham Moffat, Gerard M. D. Bean, Rebecca Probert, 2009-09-03 This classic textbook brings a modern perspective to the study of the law of equity Its hallmark contextualized approach and commercial focus will help students understand the subject and the authors commentary on the factors informing trusts law allows students to confidently grapple with complex ideas

Equity & Trusts Alastair Hudson, 2014-05-27 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 scholarly reference and as a resource for students

Decoding **Restitution And Equity 1 Resulting Trusts And Equitable Compensation**: Revealing the Captivating Potential of Verbal Expression

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