
CONTEMPORARY
PERSPECTIVES ON
PROPERTY, EQUITY
AND TRUSTS LAW

EDITED BY
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OXFORD

Contemporary Perspectives On Property Equity And Trust Law

Nigel Gravells



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Contemporary Perspectives on Property, Equity, and Trusts Law Martin Dixon, 2007 This work counters the common perception that equity and trusts is a static area of law The essays written by leading academics and well established practitioners of the field demonstrate both that the area is vibrant with new legislation and case law and shows the value of reconsidering familiar topics in the light of new developments The scope of the book is wide ranging covering equity trusts and property and is divided into two main sections the law of real property and the law of equity and trusts In Part One a variety of topics surrounding the law of real property are discussed from unconscionability and the protection of third party interests to property marriage and ownership and the impact of equality law on landlord and tenant regulations Part Two focuses on the regulation of trusts and trustees and the impact of new legislation on charities such as hospitals and schools

Equity and Trusts Law Directions Gary Watt, 2012-05-17 Equity and Trusts Law Directions is an authoritative yet lively text with an emphasis on explaining clearly the key topics covered on equity and trusts courses Rich learning features demonstrate how the law of equity and trusts is applied in the real world and why it is such a stimulating and exciting field

Moffat's Trusts Law Jonathan Garton, Graham Moffat, Gerry Bean, Rebecca Probert, 2015-08-13 This latest edition of Moffat's Trusts Law has been fully revised and updated to cover recent statutory developments and explores the impact of a wealth of new cases including the Supreme Court decisions in Pitt v Holt 2013 FHR European Ventures v Cedar Capital Partners 2014 and Williams v Central Bank of Nigeria 2014 It has been restructured to incorporate a new chapter on the internationalisation of the trust which provides an understanding of the new directions being taken in the areas of trust law and equitable remedies Supplementary material includes an online chapter on occupational pension schemes With suggestions for further reading guiding the student to contemporary debates this leading textbook retains its hallmark combination of a contextualized approach and a commercial focus and remains the serious student's textbook of choice

Trusts and Equity Gary Watt, 2012-06-28 Gary Watt provides detailed and conceptual analysis of the complex area of trusts and equity Emphasis on the modern commercial context and abundant cultural references ensure students find Watt's approach a stimulating and inspiring read

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Great Debates in Equity and Trusts Alastair Hudson, 2014-08-26 This textbook is an ambitious and engaging introduction to the more advanced writings on equity and trusts primarily designed to allow students to get under the skin of the topic and begin to build their critical thinking and analysis skills Each chapter is structured around key questions and debates that provoke deeper thought and ultimately a clearer understanding The aim of the book is therefore not to present a complete overview of theoretical issues in equity and trusts but rather to illustrate the current debates which are currently going on among those working in shaping the area The text features summaries of the views of notable experts on key topics and each chapter ends with a list of guided further reading

Modern Studies in Property Law - Volume 5 Martin Dixon, 2009-11-03 This book is a collection of papers given at the seventh biennial conference held at the University of Cambridge in March 2008 and is the fifth in the series Modern Studies in Property Law The Property Law conference has become well known as a unique opportunity for property lawyers to meet and confer both formally and informally This volume is a refereed and revised selection of the papers given there It covers a broad range of topics of immediate importance not only in domestic law but also on a worldwide scale

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The Economic Structure of Trusts M. W. Lau, 2011-01-13 Providing an economic account of why trusts exist and how trust law should be shaped this book explains the economic benefits of trusts as an extension of the law of property arguing against accounts of trusts law grounded in the law of personal obligations The theoretical model is then used to criticise recent developments in the law

Ownership of Trust Property in China Zhen Meng, 2017-07-25 This book presents a hotly debated issue concerning the ownership of trust property in China The book describes various conventional interpretations of Chinese Trust Law submitted by legal scholars and compares diverse approaches regarding the ownership of trust property provided by jurisdictions globally The book does not directly answer the question Who is the owner of trust property in China Instead using a social capital perspective it develops a more practical perspective to explain why Chinese trust business has grown rapidly even in lack of legal certainty regarding the location of ownership of trust property The book also further predicts under what conditions is the time ripe to clarify the location of the ownership of trust property in China By employing those sociological concepts often used to depict and analyze society this book outlines the

structure of the Chinese trust business and related social relations in different stages i e the current rapid development stage and the possible transitional stage in the near future The focus is on how the social network structure affects the behavior of actors such as the settlor the trustee and the beneficiaries and or their potential candidates within the relevant section of Chinese society The book provides readers with an intensive analysis of the impacts of historical cultural and social elements on the legislation and development of trust law in China It will appeal both to lawyers interested in the Chinese trust business and to comparative law researchers and social scientists

The Structure of Property Law Ben

McFarlane, 2008-07-09 Shortlisted for the Peter Birks Prize for Outstanding Legal Scholarship 2009 In its essence property law has to provide answers to two very difficult questions who is entitled to use property and how are they entitled to use it Property law is therefore inherently difficult but not impossibly so It consists of an ordered and logical system which aims to take the sting out of fierce disputes This book provides a new perspective on property law By setting out an underlying structure it allows the reader to understand the fundamental principles of this difficult subject By providing detailed coverage of individual topics it shows how those principles apply in practice and provides a comprehensive resource for anyone studying teaching researching or practising in property law The book is written in an accessible style with frequent summaries and in both its pages and companion web site it makes use of helpful visual aids It is ideal reading for law students seeking a rock solid understanding of how property law and land law work and contains sufficient detail for use as a course book in Property Law Land Law Personal Property Law The book also provides detailed analysis of core topics in Equity Trusts Commercial Law Unjust Enrichment Restitution See the companion website for this book www.hartpub.co.uk/companion/propertylaw.html

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

Landmark Cases in Land Law Nigel Gravells, 2013-06-03 *Landmark Cases in Land Law* is the sixth volume in the *Landmark Cases* series of collected essays on leading cases previous volumes in the series having covered Restitution Contract Tort Equity and Family Law The eleven cases in this volume cover the period 1834 to 2011 although interestingly no fewer than six of the cases were decided or reported in the 1980s The names of the selected cases will be familiar to property

lawyers However individually the essays provide a reappraisal of the cases from a wide range of perspectives focusing on their historical social or theoretical context highlighting previously neglected aspects and even questioning their perceived importance Collectively the essays explore several common themes that pervade the law of property the *numerus clausus* principle the conclusiveness of registration the desirability of certainty in the law and the central question of the enforceability of interests through changes in ownership of land This volume provides a collection of essays that will be of interest to academics students and practitioners

Equity Stirring Gary Watt, 2009-07-17 Sir Frederick Pollock wrote that English speaking lawyers have specialised the name of Equity It is typical for legal textbooks on the law of equity to acknowledge the diverse ways in which the word equity is used and then to focus on the legal sense of the word to the exclusion of all others There may be a professional responsibility on textbook writers to do just that If so there is a counterpart responsibility to read the law imaginatively and to read what non lawyers have said of equity with an open mind This book is an exploration of the meaning of equity as artists and thinkers have portrayed it within the law and without Watt finds in law and literature an equity that is necessary to good life and good law but which does not require us to subscribe to a moral or natural law ideal It is an equity that takes a principled and practical stand against rigid formalism and unthinking routine in law and life and so provides timely resistance to current forces of extremism and entitlement culture The project is an educational one in the true etymological sense of leading the reader out into new territory The book will provide the legal scholar with deep insight into the rhetorical literary and historical foundations of the idea of equity in law and it will provide the law student with a cultural history of and an imaginative introduction to the technical law of equity and trusts Scholars and students of such disciplines as literature classics history theology theatre and rhetoric will discover new insights into the art of equity in the law and beyond Along the way Watt offers a new theory on the naming of Dickens chancery case Jarndyce and Jarndyce and suggests a new connection between Shakespeare and the origin of equity in modern law This beautiful book deeply learned in the branch of jurisprudence we call equity and deeply engaged with the western literary tradition gives new life to equity in the legal sense by connecting it with equity in the larger sense as it is defined both in ordinary language and experience and by great writers especially Dickens and Shakespeare *Equity Stirring* transforms our sense of what equity is and can be and demonstrates in a new and graceful way the importance of connecting law with other arts of mind and language James Boyd White author of *Living Speech Resisting the Empire of Force* *Equity Stirring* is a fine example of interdisciplinary legal scholarship at its best Watt has managed to produce a book that is fresh and innovative and thoroughly accessible Deploying a range of familiar and not so familiar texts from across the humanities Watt has presented a fascinating historical and literary commentary on the evolution of modern ideas of justice and equity Ian Ward Professor of Law at the University of Newcastle upon Tyne this is an important compendious and thought provoking work that should be on the shelves of everyone interested in equity studies Mark Fortier Law and Literature there is much of interest to the legal

historian the book's insights and erudition did engage this rather sceptical reader who would like to believe that equity could achieve justice but fears rather that it can only be as fair as the court dispensing it Rosemary Auchmuty *The Journal of Legal History* With luck Equity Stirring will stir taxonomic positivists from their culture of entitlement waking them to the possibility that law and justice do not form the perfect quadrature Nick Piska *Social Legal Studies* a highly imaginative original and refreshing foray into the legal and ethical import of concepts too often thought to be difficult archaic and obscure Watt gives us a way into the subject which is forceful in its imaginative reach and its ethical import David Gurnham *Law Culture and the Humanities* *International Encyclopedia of Housing and Home*, 2012-10-09 Available online via SciVerse ScienceDirect or in print for a limited time only The International Encyclopedia of Housing and Home Seven Volume Set is the first international reference work for housing scholars and professionals that uses studies in economics and finance psychology social policy sociology anthropology geography architecture law and other disciplines to create an international portrait of housing in all its facets from meanings of home at the microscale to impacts on macro economy This comprehensive work is edited by distinguished housing expert Susan J Smith together with Marja Elsinga Ong Seow Eng Lorna Fox O Mahony and Susan Wachter and a multi disciplinary editorial team of 20 world class scholars in all Working at the cutting edge of their subject liaising with an expert editorial advisory board and engaging with policy makers and professionals the editors have worked for almost five years to secure the quality reach relevance and coherence of this work A broad and inclusive table of contents signals or testifies to detailed investigation of historical and theoretical material as well as in depth analysis of current issues This seven volume set contains over 500 entries listed alphabetically but grouped into seven thematic sections including methods and approaches economics and finance environments home and homelessness institutions policy and welfare and well being Housing professionals both academics and practitioners will find The International Encyclopedia of Housing and Home useful for teaching discovery and research needs International in scope engaging with trends in every world region The editorial board and contributors are drawn from a wide constituency collating expertise from academics policy makers professionals and practitioners and from every key center for housing research Every entry stands alone on its merits and is accessed alphabetically yet each is fully cross referenced and attached to one of seven thematic categories whose wholes far exceed the sum of their parts [The Commercial Uses of Trusts](#) Ruiqiao Zhang, 2024-10-31 This book provides a systematic and critical analysis of the role trusts play in modern commercial markets Commercial trusts are complex and ever evolving and a reassessment of the traditional legal norms relating to them is much needed in order to provide new doctrinal insights The book does just that focusing on trusts in the UK while drawing on developments in European jurisdictions and in China It presents a thought provoking assessment and a unified understanding of commercial trusts [Title and Title Conflicts in respect of Intermediated Securities under English Law](#) Wenwen Liang, 2013-08-19 This book examines property issues in respect of intermediated securities under English law

namely title and title conflicts between a true owner and a purchaser Intangible book entry securities held with an intermediary often commingled with the holdings of other clients of the intermediary often give rise to uncertainty in property rights in the securities of an investor under most legal systems for example whether property rights can be established and how title conflicts are dealt with This book identifies the flexible framework of English property law for establishing property rights over commingled intangibles in particular through trusts establishes the policy of priority rules as of comparing the merits of rights and preferring a vested right of a true owner over a subsequent purchaser particularly a vested right under fiduciary relations The book works towards the conclusion that given the general principle of English property law for vested rights title conflicts may be tilted towards purchasers in a mild rather than a radical way by introducing a good faith purchaser rule to intermediated securities or leaving it to judicial discretion where an estoppel might work in favour of a purchaser This book is suitable for lawyers officials and academics in the field of intermediated securities as well as trust property and financial regulation **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 **Land Law** Mark Davys, 2019-02-26 This popular textbook on Land Law provides a clear straightforward and concise introduction to this rich and adaptable area of the law It uses accessible language and stresses a full understanding of a few important cases rather than a superficial understanding of many The 11th edition of this textbook has been thoroughly updated to reflect recent cases Useful features that help guide the student include key concepts at the start of each chapter self test exercises and diagrams illustrating how to apply the law as well as suggestions for further reading The extensive companion website contains a glossary quizzes and suggested techniques on how to tackle questions and problems available at macmillanihe.com Davys Land Law 11e This is an ideal companion for students studying land law as part of a law degree or on the GDL CPE it is perfect also for students taking the subject as part of a surveying or estate management course New to this Edition Fully updated to take account of recent cases including the Court of Appeal decision in *NRAM Ltd v Evans* and *Matchmove Ltd v Dowding* the Supreme Court decision in *Regency Villas* and the Privy Council opinions in *Marr v Collie* and *Smith v Molyneaux* A separate chapter on proprietary estoppel and extended reflection on the use of constructive trusts to save failed land contracts Chapter 4 on registered title updated to include Law Com 237 Updating the Land Registration Act 2002 Land Law Kevin Gray, Susan Francis Gray, 2011-07-14 This seventh edition covers everything from the legal definition of land to the essential elements in a lease or tenancy and the function of covenants in the planning of land use

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