

LLB Law of Trusts and Equity



Module description:

Land Law and Law of Trusts & Equity are conceived as together forming one integrated course designed to develop an understanding of the elements of English Property Law.

The module in Trusts & Equity looks at:

- The nature of equity
- The definition, nature and functions of a trust
- The creation of express private trusts (inter vivos and testamentary) including the three certainties, statutory formalities and completely and incompletely constituted trusts
- Implied, resulting and constructive trusts, purpose trusts and charitable trusts

- Appointment, retirement and removal of trustees
- Remuneration of trustees
- The general duty of care of trustees
- Specific powers and duties of trustees (investment, delegation, dispositive powers, maintenance and advancement)
- Variation of trusts
- Trusts of land
- Equitable remedies including breach of trusts
- The fiduciary duties of trustees
- Liability of strangers to a trust
- Tracing elements of restitution
- Personal and proprietary remedies of beneficiaries
- Defences