

THE INSTITUTE OF COMMERCIAL MANAGEMENT

SUBJECT SYLLABUS



THE LAW OF EQUITY & TRUSTS

28 MARCH 2006

## Course Content:

- History & Outline of Equitable Jurisdiction
- Nature & Classification of Trusts
- Constitution of Trusts – Covenants to Settle
- The Three Certainties
- Private Purpose Trusts & Unincorporated Associations
- Formalities for Validity
- Perpetuities
- Beneficial Interests of Cohabitees
- Secret & Half-Secret Trusts
- Equitable Fraud Doctrine
- An Introduction to Charity
- Legal Definition of Charity
- Cy-Pres
- The Office of Trustee
- Power, Discretions & Duties of Trustees
- Breach of Trust
- Variation of Trusts
- Remedies
- Trusts, Conscience & Restitution

## Reading List

### Main Text:

Trusts – Todd & Lowrie (Blackstone Press)

### Alternative Texts and Further Reading:

The Trusts of Land & Appointment of Trustees Act 1996 – Kenny (Sweet & Maxwell)

### Cases and Materials

- Beswick v Beswick [1968]
- re Ralli's WT [1964]
- re Golay's WT [1965]
- re Hay's ST [1982]
- re Gestetner's Settlement [1953]
- re Astor's ST [1952]
- Leahy v AG for New South Wales [1959]
- Vandervell v IRC [1967]
- Lloyd's Bank Plc v Carrick [1996]
- The Rule Against Perpetuities (Law Commission Consultation Paper) [1993]
- re Denley's Trust Deed [1969]
- Law Commission No 251 [1998]
- Midland Bank v Cooke [1995]
- Lloyds Bank plc v Rosset [1991]
- Blackwell v Blackwell [1929]
- re Keen [1937]
- re Bateman's WT [1970]
- Hodgson v Marks [1971]
- Binions v Evans [1972]
- Bannister v Bannister [1948]
- re Harwood [1936]
- Law Commission's Paper on Trustees Powers & Duties [1997]
- Public Trustee Rules [1912]
- re Erskine's ST [1971]
- Target Holdings Ltd v Redfern's [1995]
- re Luckings WT [1968]
- re Pauling's ST [1964]
- re Suffert's Settlement [1961]

Knocker v Youle [1986]  
Goulding v James [1997]  
re Cohen's ST [1965]  
American Cyanamid Co v Ethicon Ltd [1975]  
Worth v Tyler [1974]  
re Diplock [1948]  
Hazell v Hammersmith & Fulham BC [1990]  
Chase Manhattan Bank v Israel Brit Bank [1981]