

Informal Interests in Property (1): Introduction to Implied Trusts - Resulting Trusts and Constructive Trusts

by

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Steven Gallagher was awarded a first class LL.B. He was called to the Bar of England and Wales in 2006. Steven has taught Equity and Trusts, Land Law and Company Law to undergraduates and International Corporate Liquidation and International Corporate Governance to postgraduates in England and Hong Kong. Steven teaches the Equity and Trusts courses for undergraduate students, the Principles of Equity and Trusts course on the Juris Doctor course and, in 2013, introduced the Principles of Cultural Heritage Law course to the LLM programme at the Chinese University of Hong Kong. Steven has presented continuing professional development courses for solicitors in Hong Kong on many topics associated with equity. Steven's research interests include equity and the law of trusts, cultural heritage law and legal history.

This 3-hour seminar will provide an introduction and overview of the use of equity to establish and/or vary interests in property. The seminar will consider implied trusts and the development of the law of resulting and constructive trusts to recognise interests in property. The seminar will consider the categorisation of resulting trusts and the demise of the presumption of resulting trust in the UK and its survival in Hong Kong. Recent developments in the use of automatic resulting trusts to justify the recognition of Quistclose trusts will also be considered. The seminar will then consider the issue of remedial as opposed to institutional constructive trusts and the categories of constructive trust that may be recognised in Hong Kong.

Some of the topics considered in this seminar include:

- Implied trusts;
- The origins of the doctrines of resulting trusts and constructive trusts;
- The presumption of resulting trust;
- Rebutting the presumption of resulting trust;
- The automatic resulting trust;
- Quistclose trusts;
- Remedial and institutional constructive trusts;
- The categories of constructive trust recognised in Hong Kong;
- The disputed issues in this area of the law.

Scan to Calendar



Code:	EVT000000170	Level:	Intermediate
Date:	20 February 2017 (Monday)	Language:	English
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points (LSHK Allocated Number: 20165117)
Venue:	Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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