Course

Equity and Trusts

JURD7285 | 6 Units of Credit
Overview

This course introduces students to the doctrines of equity and the law of trusts. It traces the historical development of equity and its relationship with common law. Students will critically consider the appropriate application of a range of equitable doctrines to particular scenarios and the availability of different remedies. Students will also be introduced to the law of trusts and, in particular, the nature of a trust, legal requirements in establishing a trust as well as the rights, duties and powers associated with trusts. The course assumes familiarity with equitable doctrines taught in Principles of Private Law and Contracts (alternatively Contracts 1 and 2), for instance estoppel, undue influence, unconscionability. For students who have not completed Principles of Private Law, the course will include a transitional module on personal property to introduce subject matter that was previously taught in Property, Equity and Trusts and will in future be taught in Principles of Private Law. This is an important pre-requisite for learning about trusts, which involve property.

This course is one of the core subjects for law and will normally be taken after completion of Contracts. It fits within the private law stream, which includes such subjects as Torts, Contracts and Land Law. It provides a good grounding for further studies in this area.

The aim of the course is to ensure that you are familiar with the central principles of equity, including the law of trusts. In particular, the course will cover the following topics:

Main Topics:

- Equitable rights and equitable titles
- Fiduciary obligations
- Assignment and Priorities (excluding Torrens land)
- Express trusts, including types of express trust, trusts distinguished from contract, charge, lien, bailment and corporation, lifecycle of an express trust
- Trustee duties, powers and rights
- Beneficiary rights
- Tracing
- Personal liability of accessories and recipients
- Remedies
- Resulting and constructive trusts
- General bars to relief
Faculty
Faculty of Law

Study Level
Postgraduate

Offering Terms
Term 1, Term 3

Campus
Kensington

Indicative contact hours
4

Timetable
Visit timetable website for details
Conditions for Enrolment

Prerequisite: Principles of Private Law (LAWS1150/JURD7150) and Contracts (LAWS1075/ JURD7175)
Exclusion Courses

LAWS2385  |  6 UOC
Equity and Trusts

JURD7281  |  6 UOC
Property, Equity and Trusts 1

LAWS2381  |  6 UOC
Property, Equity and Trusts 1
Course Outline

To access course outline, please visit:

JURD7285 Course Outline
## Fees

<table>
<thead>
<tr>
<th>Category</th>
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<tbody>
<tr>
<td>Commonwealth Supported Students</td>
<td>$1395</td>
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<tr>
<td>Domestic Students</td>
<td>$5250</td>
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<tr>
<td>International Students</td>
<td>$5790</td>
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**DISCLAIMER**

Please note that the University reserves the right to vary student fees in line with relevant legislation. This fee information is provided as a guide and more specific information about fees, including fee policy, can be found on the [fee website](#).

For advice about fees for courses with a fee displayed as "Not Applicable", including some Work Experience and UNSW Canberra at ADFA courses, please contact the relevant Faculty.

Where a Commonwealth Supported Students fee is displayed, it does not guarantee such places are available.
Pre-2019 Handbook Editions

Access past handbook editions (2018 and prior)

Pre-2019 Handbook Editions
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Authorised by Deputy Vice-Chancellor (Academic)
CRICOS Provider Code 00098G
ABN: 57 195 873 179