

# LAWS 3018 EQUITY & TRUSTS

**Credit Points** 10

**Legacy Code** 200757

**Coordinator** Maria Bhatti (<https://directory.westernsydney.edu.au/search/name/Maria+Bhatti/>)

**Description** This unit examines the principles of the law of equity and trusts in Australia. The primary emphasis is on the nature and development of the law of equity and students are also introduced to fundamental principles in the law of trusts. Topics include the nature and application of principles and maxims of Equity, the trust, the types of trusts and introduction to express trusts.

**School** Law

**Discipline** Law, Not Elsewhere Classified.

**Student Contribution Band** HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees ([https://www.westernsydney.edu.au/currentstudents/current\\_students/fees/](https://www.westernsydney.edu.au/currentstudents/current_students/fees/)) page.

**Level** Undergraduate Level 3 subject

**Co-requisite(s)** LAWS 3082

## Learning Outcomes

On successful completion of this subject, students should be able to:

1. Critically analyse the principles and theoretical foundations of equity and trusts;
2. Examine complex policy and practical debates surrounding equity and trusts;
3. Apply the principles of equity and trusts to analysing and solving hypothetical problems and theoretical legal issues; and
4. Construct oral and written arguments and perspectives that address issues relevant to equity and trusts.

## Subject Content

Historical overview of Equity  
 Substantive law of Equity  
 The nature and application of equitable principles  
 Concept of the trust and an introduction to express trusts  
 Powers and duties of trustees  
 The Beneficiary Principle and Non-Charitable Trusts  
 The Constitution of Express Trusts  
 The Requirement of Writing for Express Trusts  
 Informal Testamentary Arrangements  
 Express Trusts - Vitiating Elements  
 Charitable Trusts  
 Implied/Resulting Trusts  
 Capital and Income  
 Rights and Liabilities of Trustees  
 Rights of the Beneficiary  
 Variation and termination of trusts

## Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are

regularly updated, where there is a difference your Learning Guide takes precedence.

Item	Length	Percent	Threshold	Individual/Group Task
Essay	1 500 words	30	N	Individual
Presentation	20 minutes	25	N	Group
Final Exam	24 hours	45	N	Individual

Prescribed Texts

- Michael W Bryan et al, A Sourcebook on Equity & Trusts in Australia (Cambridge University Press, 2nd ed, 2019).
- Michael W Bryan, VJ Vann and S Barkehall Thomas, Equity & Trusts in Australia (Cambridge University Press, 2nd ed, 2017)

Teaching Periods

## Autumn Campbelltown

**Day**

**Subject Contact** Maria Bhatti (<https://directory.westernsydney.edu.au/search/name/Maria+Bhatti/>)

View timetable ([https://classregistration.westernsydney.edu.au/even/timetable/?subject\\_code=LAWS3018\\_22-AUT\\_CA\\_D#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3018_22-AUT_CA_D#subjects))

## Parramatta - Victoria Rd

**Day**

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View timetable ([https://classregistration.westernsydney.edu.au/even/timetable/?subject\\_code=LAWS3018\\_22-AUT\\_PS\\_D#subjects](https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3018_22-AUT_PS_D#subjects))

**Evening**

**Subject Contact** Maria Bhatti (<https://directory.westernsydney.edu.au/search/name/Maria+Bhatti/>)

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