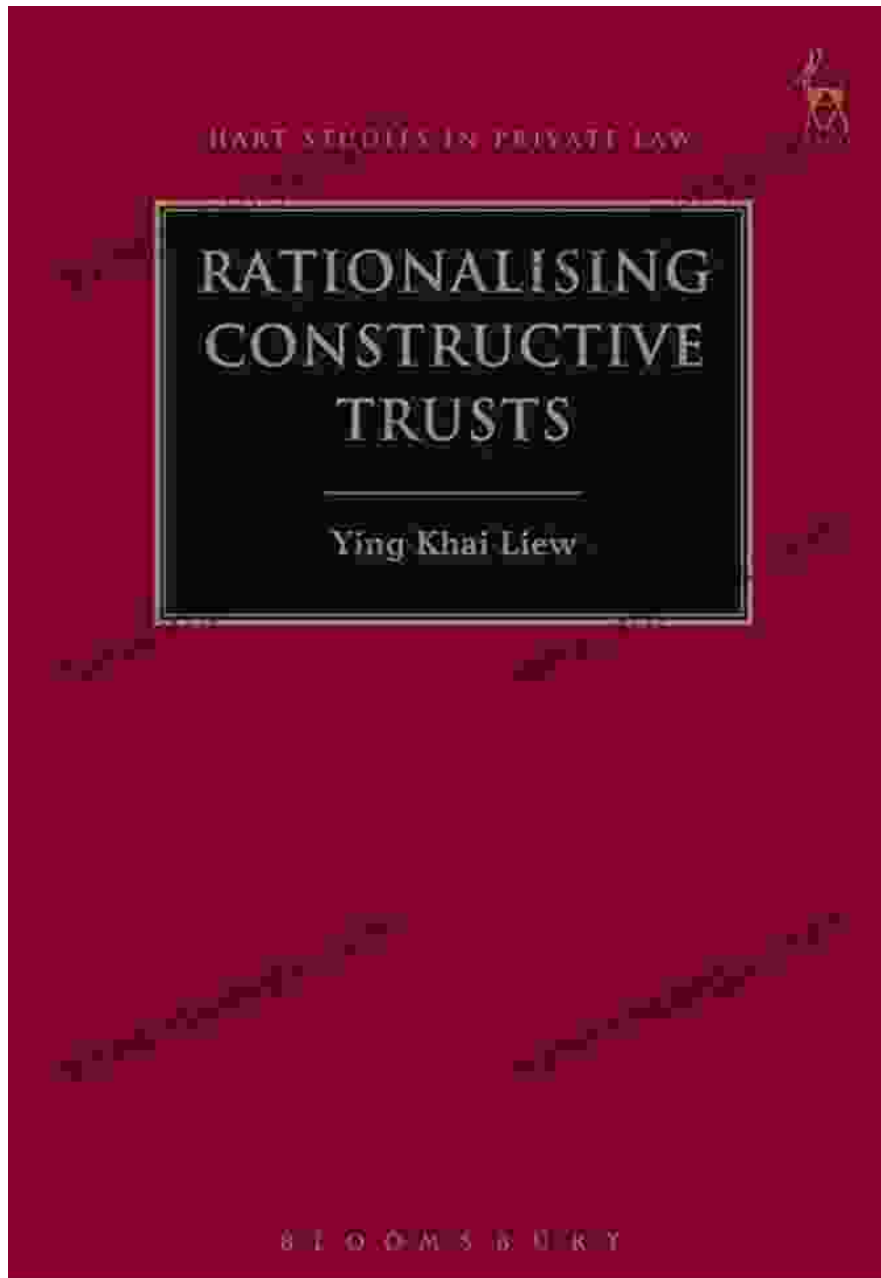
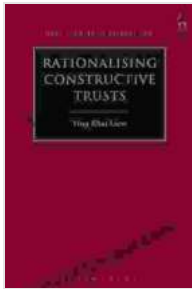


Rationalising Constructive Trusts: A Comprehensive Guide to Private Law



Constructive trusts are a complex and fascinating area of private law. They arise in a wide variety of circumstances, and they can have a significant impact on the rights of the parties involved. In *Rationalising Constructive*

Trusts, Professor John Virgo provides a comprehensive and up-to-date analysis of this important topic.



Rationalising Constructive Trusts (Hart Studies in Private Law) by Edward Foley

★★★★☆ 4.7 out of 5

Language : English
File size : 1142 KB
Text-to-Speech : Enabled
Screen Reader : Supported
Enhanced typesetting : Enabled
Word Wise : Enabled
Print length : 680 pages



What is a Constructive Trust?

A constructive trust is a legal device that is used to rectify an unjust enrichment. It arises when one party (the "trustee") has acquired property that rightfully belongs to another party (the "beneficiary"). The constructive trust imposes a duty on the trustee to hold the property for the benefit of the beneficiary.

Constructive trusts can be created in a variety of ways, including:

- **Fraud:** When one party fraudulently acquires property from another party, a constructive trust may be imposed to restore the property to the rightful owner.
- **Breach of fiduciary duty:** When a fiduciary (such as a trustee, agent, or guardian) breaches their duty to act in the best interests of the

beneficiary, a constructive trust may be imposed to prevent them from profiting from the breach.

- **Unjust enrichment:** When one party is unjustly enriched at the expense of another, a constructive trust may be imposed to restore the balance between the parties.

The Role of Constructive Trusts in Private Law

Constructive trusts play an important role in private law. They provide a flexible and effective way to rectify unjust enrichment and to protect the rights of the parties involved. Constructive trusts can be used to:

- Prevent fraud and abuse of power.
- Restore property to its rightful owner.
- Compensate for unjust enrichment.
- Protect the rights of beneficiaries.

Rationalising Constructive Trusts

In *Rationalising Constructive Trusts*, Professor Virgo provides a comprehensive and up-to-date analysis of the law of constructive trusts. He examines the historical development of constructive trusts, and he provides a detailed analysis of the different types of constructive trusts that can arise. Virgo also discusses the remedies that are available to beneficiaries of constructive trusts, and he provides guidance on how to avoid the creation of constructive trusts.

Rationalising Constructive Trusts is an essential resource for anyone who is interested in the law of constructive trusts. It is a comprehensive and up-

to-date analysis of this important topic, and it provides valuable guidance to practitioners, scholars, and students alike.

Key Features of *Rationalising Constructive Trusts*

- Comprehensive and up-to-date analysis of the law of constructive trusts
- Detailed examination of the historical development of constructive trusts
- Analysis of the different types of constructive trusts that can arise
- Discussion of the remedies that are available to beneficiaries of constructive trusts
- Guidance on how to avoid the creation of constructive trusts
- Written by a leading expert in the field of constructive trusts

Benefits of Reading *Rationalising Constructive Trusts*

- Gain a comprehensive understanding of the law of constructive trusts
- Learn about the historical development of constructive trusts
- Identify the different types of constructive trusts that can arise
- Understand the remedies that are available to beneficiaries of constructive trusts
- Learn how to avoid the creation of constructive trusts
- Stay up-to-date on the latest developments in the law of constructive trusts

Target Audience

Rationalising Constructive Trusts is written for a wide range of readers, including:

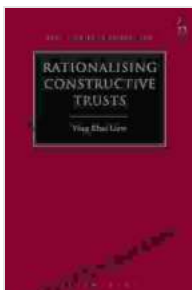
- Practitioners in the field of private law
- Scholars and students of private law
- Anyone who is interested in the law of constructive trusts

About the Author

Professor John Virgo is a leading expert in the field of constructive trusts. He is a Professor of Law at the University of Oxford, and he is a Fellow of All Souls College, Oxford. Professor Virgo is the author of numerous books and articles on the law of constructive trusts, and he is a regular speaker at conferences and workshops on this topic.

Rationalising Constructive Trusts is an essential resource for anyone who is interested in the law of constructive trusts. It is a comprehensive and up-to-date analysis of this important topic, and it provides valuable guidance to practitioners, scholars, and students alike.

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