

# EQUITY AND TRUSTS IN AUSTRALIA

*Equity and Trusts in Australia* is a practical and engaging introduction to equitable and trust law in Australia. Drawing on the authors' collective 45 years of teaching experience, this text is carefully designed to cater to the needs of undergraduate law and Juris Doctor students approaching the law of equity and trusts for the first time. The book provides a succinct, clear and accessible explanation of key theories and terminology in equity and trusts, and demonstrates how these are applied in practice with simple, topical examples. Comprehensively cross-referenced, it draws links between equitable and trust doctrines and their wider relationships to the law.

The companion website, at [www.cambridge.edu.au/academic/equity](http://www.cambridge.edu.au/academic/equity), is an invaluable resource for students and lecturers, featuring further reading, discussion points, and practice exercises and solutions.

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# PREFACE

There is no uniform approach to teaching equity and trusts in Australian law schools. The reality of semesterisation has meant that the old full-year equity and trusts subject is now only a memory dimly recalled by elderly equity teachers in their anecdote. This introductory text is designed for students enrolled in LLB and JD degrees taking semesterised and trimesterised equity and trusts units. This book does not attempt to cover all of the possible examples of equitable doctrine in our legal system. Instead, we have focused only on those topics we regard as essential to a foundational understanding of equity and trusts, required for the purpose of obtaining professional qualification.

The book should be read in conjunction with its companion website, at [www.cambridge.edu.au/academic/equity](http://www.cambridge.edu.au/academic/equity). The website contains detailed analysis of specific equity and trusts principles which are outlined in the text, suggestions for further reading and investigation, academic analysis of controversial areas of doctrine and practice, and practice problems and guidelines to answers to assist students with exam preparation. The website will be updated regularly. Students who are ambitious to do well should acquire the habit of consulting the website once they have absorbed the material in the text.

We owe a number of debts to those who have assisted in the preparation of the book. Rosemary Langford read and commented upon various chapters. Virginia McDonald and Nuwan Dias undertook invaluable research and reference checking for us. Kim Armitage and everyone involved with the book at Cambridge University Press have been patient, generous and professional, and we have been blessed with a first-class editor, Jane O'Regan.

We have endeavoured to state the law as of 1 November 2011.

M. W. Bryan  
V. J. Vann

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