

# EQUITY AND TRUSTS

## GUIDEBOOK

### Tips for Essay / Discussion / Problem Questions

The following information assists in answering the questions at the end of each chapter. It is not intended to be a complete answer.

#### Chapter 2 The Concept of Property in Equity

##### Essay / Discussion Questions (p.21)

- 1 See Figure 2.1 and the cases regarding the 'flexible nature' of equitable interests.
- 2 Examine how and why equitable interests are called into existence. See Viscount Radcliffe in *Commissioner of Stamp Duties v Livingston* [1965] AC 694 at 712 (discussed in Chapter 2).

##### Problem Question (p.21)

- 1 The facts presented in the question need to be carefully considered with respect to *Latec Investments Ltd v Hotel Terrigal Pty Ltd* (1965) 113 CLR 265.