

# 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 12 Equitable Remedies

Essay / Discussion Questions (p.157)

- 1 A good answer to this question will review the issues regarding the fusion of common law and equity – see Figure 1.1. Consideration should also be given to equitable relief and the process of tracing.
- 2 A detailed examination of the relevant principles for the award of damages at common law needs to be undertaken. Consideration then needs to be directed to the award of money in equity. See Figure 12.1 for further information.
- 3 All equitable principles need to be reviewed, including but not limited to fiduciary obligations and joint ventures. Note that the emphasis is upon commercial and not personal relationships.

This question is similar to the first essay / discussion question in Chapter 1 The Nature and History of Equity. It would be appropriate to review your answer to this question.