

# 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 9 Constructive Trusts

##### Essay / Discussion Questions (p.124)

- 1 A review of all the principles of constructive trusts is required. This should be supported with material from most of the preceding chapters.
- 2 A good answer to this question would follow all of the decisions after *Barnes v Addy* (1874) LR 9 Ch App 244. A distinction should be made between English and Australian decisions.

##### Problem Question (p.125)

- 1 This question is based upon the facts involved in *Consul Development Pty Ltd v DPC Estates Pty Ltd* (1975) 132 CLR 373. Other principles identified in Chapter 9 Constructive Trusts should also be discussed.