8. Resulting trusts

This chapter examines resulting trusts, which are one of the two main categories of informal trusts in English law. In general, resulting trusts arise to fill gaps in beneficial ownership or to give effect to the implied intention of the owner of property that someone else should not enjoy the benefit of it. Under existing law, a resulting trust arises in two sets of circumstances. One is where A makes a voluntary payment to B or pays (wholly or in part) for the purchase of property which is vested either in B alone or in the joint names of A and B, with a presumption that A did not intend to make a gift to B. The other is where A transfers property to B on express trusts, but the trusts declared do not exhaust the whole beneficial interest.
8. Resulting trusts

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