The Law of Trusts (11th edn)
JE Penner

Publisher: Oxford University Press  Print Publication Date: Apr 2019
Print ISBN-13: 9780198795827  Published online: Sep 2019
DOI: 10.1093/he/9780198795827.003.0013

13. The law governing fiduciaries

Chapter: (p. 384) 13. The law governing fiduciaries

Author(s): JE Penner

DOI: 10.1093/he/9780198795827.003.0013

Titles in the Core Text series take the reader straight to the heart of the subject, providing focused, concise, and reliable guides for students at all levels. This chapter discusses the nature and scope of fiduciary duties. It begins by considering the ‘no conflict’ rule, the basic rule governing fiduciaries. Under the rule, a fiduciary is liable to account for any profit he obtains in circumstances where his interests may conflict with his duty to his principal. It then turns to rules governing authorised profits; unauthorised profits and the liability to account for them; self-dealing and fair dealing rules; the proprietary and personal nature of the liability to account; equitable compensation for breach of fiduciary obligation; and secondary liability for breach of fiduciary obligation.

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the
13. The law governing fiduciaries