4. Constructive trusts

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/9780198795827.001.0001

4. Constructive trusts

Chapter: (p. 108) 4. Constructive trusts

Author(s): JE Penner

DOI: 10.1093/he/9780198795827.003.0004

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 focuses on constructive trusts, which are trusts that arise by operation of law. It identifies and discusses three broad categories of constructive trust: firstly, those in which the law anticipates the result of legal title passing at law, with the result that the legal owner is regarded as holding his title on trust for the transferee until the transfer of the legal title is effective; secondly, the ‘trust’ under which a non-bona fide third party recipient of property transferred in breach of trust holds the title to the property he receives; and, finally, those in which individuals acquire for the first time an interest in another’s property because of their past dealings or relationship with the legal owner. Each of these is discussed in turn.
4. Constructive trusts

Access to the complete content on Law Trove requires a subscription or purchase. Public users are able to search the site and view the abstracts and keywords for each book and chapter without a subscription.

Please subscribe or login to access full text content.

If you have purchased a print title that contains an access code, please see the information provided with the code or instructions printed within the title for information about how to register your code.

For questions on access or troubleshooting, please check our FAQs, and if you can't find the answer there, please contact us.