

Informal Interests in Property (1): Presuming Interests and Illegality

by

Prof. Steven Gallagher,
Associate Professor of Practice in Law,
Associate Dean (Teaching & Learning),
The Faculty of Law,
The Chinese University of Hong Kong



Steven Gallagher was awarded a first class LL.B. He was called to the Bar of England and Wales in 2006. Steven teaches the equity and trusts courses for undergraduate and postgraduate students. Steven also teaches a course on art, antiquities, cultural heritage and the law on the LLM programme. Steven has presented continuing professional development courses for solicitors in Hong Kong on many topics associated with equity. Steven's research interests include equity and the law of trusts, cultural heritage law and legal history.

This three-hour seminar will provide an introduction and overview of the use of equity to establish and/or vary interests in property. The seminar will consider implied trusts and the development of the law of resulting trusts to recognise interests in property. The seminar will consider the categorisation of resulting trusts as presumed resulting trusts and automatic resulting trusts. The seminar will then consider the seeming demise of the presumption of resulting trust and its linked but contrary presumption, the presumption of advancement, in England and its survival in Hong Kong. The doctrine of illegality as it affects presumed resulting trusts in Hong Kong will also be considered.

Some of the topics considered in this seminar include:

- Implied trusts;
- The origins of the doctrines of resulting trusts and constructive trusts;
- The presumption of resulting trust;
- Rebutting the presumption of resulting trust;
- The presumption of advancement;
- The doctrine of illegality in Hong Kong including issues with the Small House Policy.

Scan to Calendar



Code:	EVT000000318	Level:	Intermediate
Date:	19 October 2020 (Monday)	Language:	English
Time:	14:30 - 17:45 (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points
Venue:	Online via Zoom	Request for Rerun:	Please Contact Us for Details



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