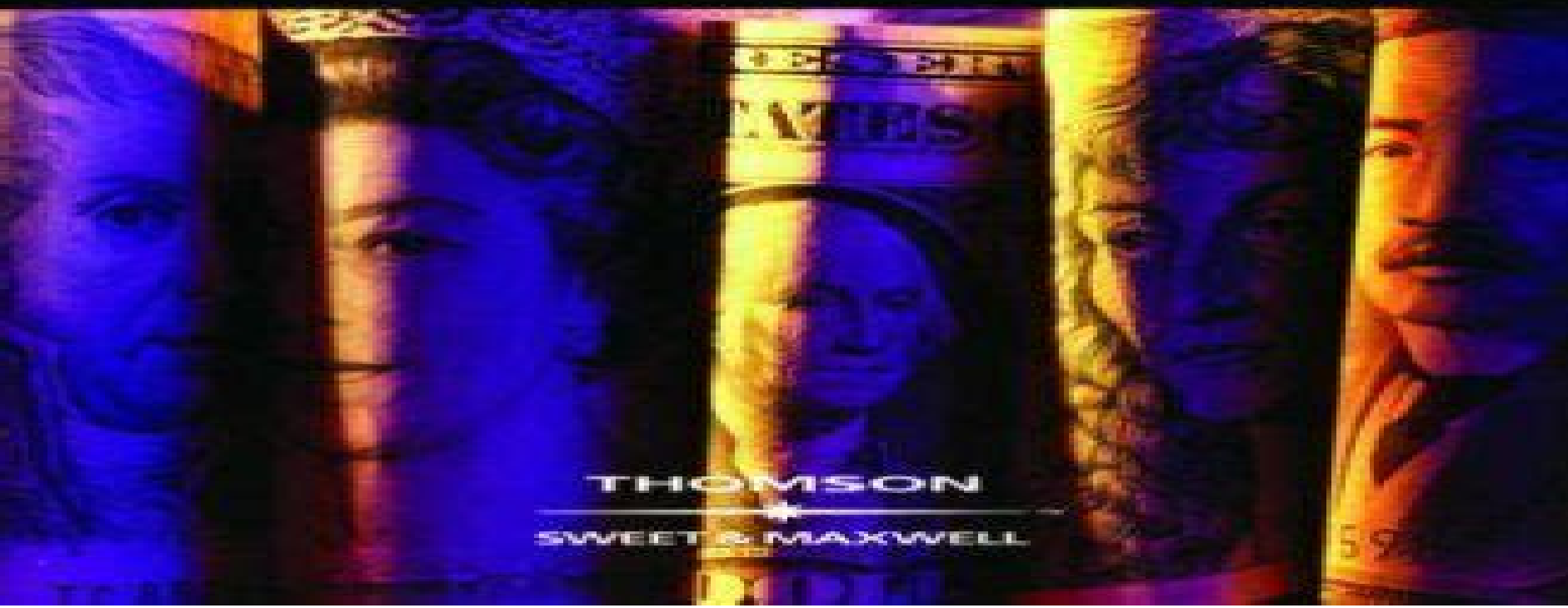


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transfers under the increasingly important and influential cy pr s doctrine The doctrine decrees that when literal compliance is impossible or infeasible the intention of a donor or testator should be carried out as nearly as possible Over the past thirty years this doctrine has marched into other legal territory where as near as possible is also considered sufficient such as in class actions litigation and under non charitable trusts Discussing and analyzing key developments across the Commonwealth jurisdictions and the USA this book considers whether there is a new and overarching definition which can be attributed to the cy pr s doctrine It asks whether there is a doctrinal symmetry of analysis that truly renders it a body of cy pr s law in the modern context and whether the doctrine can be expected to play an even greater role in the future This book is of interest to researchers and practitioners working in trusts and charity law property law contract law and class actions jurisprudence

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Modern Studies in Property Law, Volume 11 Sue Farran,Russell Hewitson,Adam Ramshaw,2021-07-29 What are the contemporary challenges faced by property law as we enter the 2nd decade of the 21st century This collection brings together the research and perspectives of an international body of academics and practitioners to consider these challenges and how even familiar topics must develop to meet new demands and developments As with previous books in the Modern Studies in Property Law series this volume adopts a broad approach to topics encompassed by property law in the firm belief that the boundaries that divide are shadowy at best and constantly moving in the endeavour to keep up with what is modern This collection looks at 5 themes Comparative perspectives including a chapter on grazing and cropping rights in Northern Ireland and analysis of the anomalies of the English trust law as seen from a civil law perspective Taking and alienating property including a chapter on bankruptcy and the family home Modern dilemmas including chapters on trusts in virtual currency and on smart homes Old chestnuts new challenges including analysis of the mortgage law reform in Scotland and a chapter on the ouster principle in common law jurisdictions and Wills death and other morbid topics with chapters on English succession law and the role of knowledge and approval in retrospective assessments of capacity Unfortunately the COVID 19 pandemic prevented the 13th biennial conference being held in 2020 as planned but despite this the authors and co editors

persevered to produce this interesting and diverse collection

The Balancing of Interests in Environmental Law in Africa Willemien Du Plessis, 2011 Now that economic development is starting to pick up in many countries in Africa the question arises how such development can be balanced with the need for adequate environmental protection This crucial issue inherent in the notion of sustainable development is addressed in this innovative and path breaking volume For the first time academics from seventeen African countries have joined forces to analyse the way in which economic and environmental interests are balanced in their legal systems The authors all use a common framework to improve the comparability of the country studies The different country related chapters do not only provide insights into the formally applicable legal rules law in the books but given that the book brings together academics aware of the practice in Africa they also describe the way in which environmental policy functions in practice law in action Many case studies with conceptual analyses are provided of pollution incidents and the way in which administrative agencies or courts have on those occasions balanced the interests between the economy society and the environment A critical comparative analysis by the editors points at tendencies towards convergence and points of divergence between the African countries Suggestions for policy reform are also formulated showing African countries how they can benefit from experiences in the US and Europe This thought provoking volume is a must for anyone academic policymaker or practitioner interested in sustainable development generally and in Africa in particular P 4 of cover

Understanding the Law of Assignment C. H. Tham, 2019-10-17 Explains how intangible assets such as contractual debts or equitable entitlements may be assigned under English law

Commonwealth Caribbean Land Law Sampson Owusu, 2021-01-31 The first textbook to address land law as it relates to the Commonwealth Caribbean it encompasses all areas covered in an undergraduate course on the law of real property in the Caribbean Primary and secondary source material on the law of property in the whole of the Commonwealth Caribbean is made easily and readily accessible to law students and legal practitioners Statutory provisions from all States are discussed in relation to each topic and the similarities and differences are highlighted Extensive discussion and analysis of the decisions of the courts in the region are also included alongside an in depth analysis and critical discussion of English case law that is relevant to the Caribbean The examination of whether or not English case law should be followed in the region is relevant and interesting to anyone studying or practising law in other Commonwealth jurisdictions Essential reading for undergraduate law students in the Caribbean this text will also prove useful to those studying for the certificate of proficiency in the practice of law in the Commonwealth Caribbean while the footnote references to statutory provisions are an invaluable aid to any researcher of Caribbean land law

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