

Australian Restitution Law

Second Edition

Sharon Erbacher



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Australian Restitution Law

Katy Barnett, Sirko Harder



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Australian Restitution Law Sharon Erbacher, 2012-09-10 This book is the first casebook on restitution law to be published in Australia It contains comprehensive extracts from the most significant Australian and English cases together with some Canadian cases which indicate the possible direction which Australian law will take The author has included substantial commentaries following the extracts in order to further explain the decisions from overseas jurisdictions to place those decisions in an Australian context In the last decade there has been a significant number of Australian decisions which deal with important concepts in restitution and which supplement qualify or refine the English law of restitution The focus in this book on the Australian position makes it an invaluable resource for anyone who is studying or researching restitution law in Australia

Restitution Law in Australia Keith Mason, John W. Carter, 1995 Restitution law in Australia Remedies in Australian Private Law Katy Barnett, Sirko Harder, 2014-05-02 Remedies in Australian Private Law offers a clear logical and complete treatment of remedies in common law equity and statute Designed in response to the rapid expansion of interest in this field of law it provides readers with a theoretical and practical framework for understanding the principles of private law remedies and how they are applied Clearly structured with a strong black letter law focus this book includes detailed coverage of remedies for tort breach of contract the Australian Consumer Law and equitable obligations It also includes discussion of theoretical perspectives on issues such as the fusion of common law and equity the nature of reasonable fee awards and the concept of unjust enrichment The systematic and accessible approach set out in this book will enable students and practitioners to develop an overarching conception of remedial law and thereby enhance their capacity to analyse legal problems and find the best solutions

The Australian Law Journal, 1928 *Restitution Law in Australia* Keith Mason, John W. Carter, Greg Tolhurst, 2008 Restitution is one of the law's few remaining commons largely untouched by statute Fifty years ago restitution was a wilderness an apparent miscellany of disparate categories through which litigant judge and student trudged holding a compass marked implied contract at its four points However the landscape of the modern Australian law of restitution is complex The topic of restitution addressed by the authors includes doctrines responding to different and or additional policies as well as gain based remedies appurtenant to wrongs with their juridical source outside unjust enrichment which is only one of the bases for restitution Several chapters have been extensively rewritten and the third Want of Title Misdirected Funds and Tracing is new to this edition This book is essential reading for members of the judiciary barristers and solicitors Australia wide as well as students of commercial law equity and remedies

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Exploring Private Law Elise Bant, Matthew Harding, 2010-09-02 Inspired by recent debate the purpose of this collection of essays on private law doctrines remedies and methods is to celebrate and illustrate the contribution that both top down and bottom up methods of reasoning make to the development of private law The contributors explore a variety of topical subjects including judicial approaches to top down and bottom up methods teaching trusts law the protection of privacy in private law the development of the law of unjust enrichment the private law consequences of theft equity s jurisdiction to relieve against forfeiture the nature of fiduciary relationships and obligations the duties of trustees compensation and disgorgement remedies partial rescission the role of unconscionability in proprietary estoppel and the nature of registered title to land

The Australian Law Journal Reports Australia. High Court, 2001

The South Australian Law Reports South Australia. Supreme Court, 1886

Australian Current Law, 1995

Mason and Carter's Restitution Law in Australia Keith Mason, John W. Carter, Greg Tolhurst, 2016-05-03 Restitution is one of the law s few remaining commons largely untouched by statute Fifty years ago restitution was a wilderness an apparent miscellany of disparate categories through which litigant judge and student trudged holding a compass marked implied contract at its four points The landscape of the modern Australian law of restitution however is complex The topic of restitution addressed by the authors includes doctrines responding to different and or additional policies as well as gain based remedies appurtenant to wrongs with their juridical source outside unjust enrichment which is only one of the bases for restitution In this third edition the content has been revised and updated Chapter 3 Want of Title has been substantially updated and Chapter 24 Change of Position has been completely rewritten This book is essential reading for members of the judiciary barristers and solicitors Australia wide as well as students of commercial law equity and remedies

Fault Lines in Equity James Glister, Pauline Ridge, 2012-05-18 Although much equitable doctrine is settled there remain some intractable problems that bedevil lawyers across jurisdictions Here leading scholars and practitioners from England Australia and New Zealand employ new historical comparative and theoretical perspectives to cast light on these fault lines in equitable doctrine and methodology

Conflict of Laws in Australia Michael

J. Tilbury, Gary Davis, Brian R. Opeskin, 2002 This is a fresh and incisive account of the principal elements that constitute conflict of laws in Australia **The Law Relating to Banker and Customer in Australia** Francis Alfred Alison Russell, 1907 **Australian national bibliography** , 1961 **APAIS 1994: Australian public affairs information service** , *Australian Law and Legal Thinking Between the Decades* Alice Erh-Soon Tay, 1990 University of Western Australia Law Review , 2000 **British Ruling Cases from Courts of Great Britain, Canada, Ireland, Australia and Other Divisions of the British Empire, Extensively Annotated** , 1922 This series of reports is in a sense a continuation but with a decided expansion of the plan of the English ruling cases as it takes the cases from the British empire instead of from England only but it continues the English ruling cases in the sense that it will include the most important cases from the English courts decided since that series terminated Pref **Current Law Index** , 2007

The book delves into Australian Restitution Law. Australian Restitution Law is a vital topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Australian Restitution Law, encompassing both the fundamentals and more intricate discussions.

1. This book is structured into several chapters, namely:

- Chapter 1: Introduction to Australian Restitution Law
- Chapter 2: Essential Elements of Australian Restitution Law
- Chapter 3: Australian Restitution Law in Everyday Life
- Chapter 4: Australian Restitution Law in Specific Contexts
- Chapter 5: Conclusion

2. In chapter 1, this book will provide an overview of Australian Restitution Law. This chapter will explore what Australian Restitution Law is, why Australian Restitution Law is vital, and how to effectively learn about Australian Restitution Law.

3. In chapter 2, this book will delve into the foundational concepts of Australian Restitution Law. The second chapter will elucidate the essential principles that must be understood to grasp Australian Restitution Law in its entirety.

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