Aitken, L. 'Developments in Equitable Compensation: Opportunity or Danger?' (1993) 76 Aust. L.J. 596

American Law Institute. Restatement of Restitution: Quasi Contracts and Constructive Trusts. St Paul, M.N.: American Law Institute Publishers, 1937.

Ames, J.B. 'The Failure of the Tilden Trust', (1892) 5 Harv. L.R. 389.

- Baker, J.H. An Introduction to English Legal History. 3d ed. London: Butterworth & Co. (Publishers) Ltd., 1990.
- Beatson, J. and Friedman, Daniel. Good Faith and Fault in Contract Law. Oxford: Clarendon Press, 1995.
- Bell, George Joseph. Commentaries on the Law of Scotland and on the Principles of Mercantile Jurisprudence. 7th ed., [by John McLaren]. Edinburgh: Law Society of Scotland, Butterworth's, 1990.
- Berryman, J., ed. Remedies-Issues and Perspectives. 1991.
- Biedermann, K. The Trust in Liechtenstein Law. 2d ed. Bern: Stämpfli, 1984.
- Birks, P.B.H. An Introduction to the Law of Restitution. Oxford: Clarendon Press, 1985.
- ——. Civil Wrongs: A New World; the Butterworth Lectures, 1990–1991 London: Butterworth & Co. (Publishers) Ltd., 1991.
- ——. The Frontiers of Liability. Oxford: Oxford University Press, 1994.
- ——. 'Persistent Problems in Misdirected Money: A Quintet', [1993] L.M.C.L.Q. 218.
- Bittker, B.I. Federal Taxation of Income Estates and Gifts. Little, Brown U.K. Ltd., 1981.
- Blackstone, Sir William. Commentaries on the Laws of England. 4 vols. Oxford: Clarendon Press, 1765–69.

Bogert, G.G. and Bogert, G.T., eds. The Law of Trusts and Trustees. Rev. 2d ed. St. Paul, M.N., 1978.

- Bowman, S. 'Constructive Trusts: Whether Recognised for Tax Purposes', (1987) 35 Canadian Tax Journal 1464.
- Bryant, M.J. 'Crown-Aboriginal Relationships in Canada: The Phantom of Fiduciary Law', (1993) 27 U.B.C.L.R. 19.
- Buckland, W.W A Textbook of Roman Law. 3d ed., [revised by Peter Stein]. Cambridge: Cambridge University Press, 1963.
- Burns, Fiona. 'The "Fusion Fallacy" Revisited', (1993) 5 Bond L.R. 152.
- Campbell, D.L. 'Record-Keepers or Whistle-Blowers? A Look at the Role of Pension Fund Custodians', (1995) Estates & Trusts J. 26.
- Canadian Tax Foundation. Report of the Proceedings of the 40th Tax Conference. Toronto: 1988.
- Chirelstein, M. Federal Income Taxation. 5th ed.: Foundation Press, 1988. Conder, A.J. 'The Office of the Protector', (1995) 4 Trusts & Trustees 12.

- Cope, Malcolm. Equity: Issues and Trends. Sydney: The Federation Press Pty., 1995.
- Corbin, Arthur Linton. Corbin on Contracts: A Comprehensive Treatise on the Working Rules of Contract Law. St Paul, MN.: West Publishing, 1963.
- Crampin and Thomas. Interntional Trust Laws. Edited by John Glasson. London: Chancery Law Publishings, 1992.
- Cullity, Maurice C., Q.C. 'The Role and Control of Protectors'. Paper delivered to a Law Society of Upper Canada seminar, Effective Estate Planning. Toronto, Ont., 7th July 1995. Forthcoming.
- Davidson, O.E. 'The Equitable Remedy of Compensation', (1982) 13 M.U.L.R. 349.
- Davies, J.D. 'Trusts', [1968] A.S.C.L. 437.
- Day, I.C. 'The Consequences of Illegal Trading', [1971] B.T.R. 104.

DeMott, D.A. 'Fiduciary Obligations under Intellectual Siege: Contemporary Challenges to the Duty to be Loyal', (1992) Osgoode Hall L.J. 472.

- Dewar, John with Stephen Parker. *Law and the Family*. 2d ed. London: Butterworth & Co. (Publishers) Ltd., 1992.
- Duckworth, Antony. 'Protectors—Fish or Fowl?' Paper delivered to the 9th I.B.C. Annual Transcontinental Trusts Conference, The World in Perilous Transition. Geneva, 29th-30th June 1995. Unpublished.

Dyson, H. 'The Proposed New Law of Trusts in France', (1992) Conv. 407.

Elias, Gbolahan. *Explaining Constructive Trusts*. Oxford: Clarendon Press, 1990. Evans, J.M. 'Purpose Trusts—Further Refinements', (1969) 32 *M.L.R.* 96.

Field, F. and Owen, M. Private Pensions for All: Squaring the Circle. London: The Fabian Society, 1993.

Finn, P.D. Essays in Damages. Sydney: The Law Book Co. Ltd., 1992.

- ——. 'Unconsionable Contract' (1994) 8 J. Contract L. 37.
- ——., ed. Equity and Commercial Relationships. Sydney: The Law Book Co. Ltd., 1987.

-----., ed. Essays in Equity. Sydney: The Law Book Co. Ltd., 1985.

-----., ed. Fiduciary Obligations. Sydney: The Law Book Co. Ltd., 1977.

Flannigan, R. 'Fiduciary Obligation in the Supreme Court', (1990) 54 Sask. L.R. 45.

——. 'The Fiduciary Obligation', (1989) 9 O.J.L.S. 285.

Ford, H.A.J. and Austin, R.P. Ford and Austin's Principles of Corporations Law. 7th ed. Sydney: Butterworth's, 1995.

——. and Lee, W.A. *Principles of the Law of Trusts.* 2d ed. Sydney: The Law Book Co. Ltd., 1990.

Gardner, S. An Introduction to the Law of Trusts. Oxford: Clarendon Press, 1990.

------. 'New Angles on Unincorporated Associations', (1992) Conv. 41.

Gillese, Eileen E. 'Contribution Holidays', (1995) Estates & Trusts J. 136.

Glover, J. 'Bankruptcy and Constructive Trusts', (1991) 19 A.B.L.R. 97.

——. 'Trusts and Trustees—Whether in a commercial case the circumstances give use to a constructive trust. Applicability of doctrine of unjust enrichment', (1990) 64 *A.L.J.* 297.

Goff, R.L.A., Lord and Jones, G.H. The Law of Restitution. 4th ed., [edited by G.H.

Jones]. London: Sweet & Maxwell Ltd., 1993.

- Goldstein, Stephen, ed. Equity and Contemporary Legal Developments. Jerusalem: The Hebrew University of Jerusalem, 1992.
- Goodhart, W. 'Trustee Exemption Clauses and the Unfair Contract Terms Act 1977', (1980) 44 Conv. 333.
- Gower, L.C.B. Gower's Principles of Modern Company Law. 5th ed. London: Sweet & Maxwell Ltd., 1992.
- Gravells, Nigel P. 'Public Purpose Trusts', (1977) M.L.R. 397.
- Gray, John Chapman. 'Gifts for a Non-Charitable Purpose', 15 Harv. L.R. 509. Gray, Kevin. 'Property in Thin Air', (1991) 50 C.L.J. 252.
- Green, 'Universal Tankships—"The Trust Point"', (1982) 45 M.L.R. 564.
- Green, B. "Love's Labours Lost:" A Note on Re Grant's Will Trusts', (1980) 43 M.L.R. 459.

Grundy, M. Grundy's Tax Havens; Offshore Business Centres: A World Survey. 6th ed. London: Sweet & Maxwell Ltd., 1993.

Hackney, J. Understanding Equity and Trusts. London: Fontana Press, 1987. Hanbury, H.G. and Maudsley, R.H. Hanbury and Martin Modern Equity. 14th ed., [by Jill E. Martin]. London: Sweet & Maxwell Ltd., 1993.

Harris, Nigel & Partners. The Use of Offshore Jurisdictions. Edited by St J. A Robillard. London: Longman Law, Tax and Finance, 1991.

Hart, William O. 'Some Reflections on the Case of Re Chardon', (1937) L.Q.R. 24. Hayton, D.J. 'The Hague Convention on the Law Applicable to Trusts and their Recognition', (1987) 36 I.C.L.Q. 260.

------ and Marshall, O.R. Cases and Commentary on the Law of Trusts. 9th ed., [by D.J. Hayton]. London: Sweet & Maxwell Ltd./Stevens & Sons Ltd., 1991.

Heydon, J.D. 'The Negligant Fiduciary', (1995) 111 L.Q.R. 1.

Hindle, G.W. 'Purchase of Trust Property by a Trustee with the Approval of the

Court', (1961) 3 M.U.L.R. 15.

Holdsworth, Sir William. A History of English Law. 16 vols. London: Methuen &

Co. and Sweet & Maxwell, 1969.

Honoré, T. and Cameron, E. Honoré's South African Law of Trusts. 4th ed. Capetown, S.A.: Juta & Co. Ltd., 1992.

Huband, J.A. 'Remedies and Resolution for Breach of Fiduciary Duties'. Paper

- delivered at the Isaac Pitblade Lectures, 1993. Unpublished.
- Hughes, C. 'The Fiduciary Obligations of the Crown to Aborigines', (1993) 16 U.N.S.W.L.J. 70.
- Ingram, M. and Maxton, J.K. 'Equitable Remedies'. Paper delivered to a New Zealand Law Society seminar, 1994. Unpublished.
- International Trident Trust Group. The Trident Practical Guide to Offshore Trusts. 2d ed. London: Eurostudy, 1991.
- Jacobs, K.S. Jacobs' Law of Trusts in Australia. 5th ed., [by W.P. Meagher and W.M.C. Gummow]. Sydney: Butterworth's, 1986.
- Jones, G.H. 'Unjust Enrichment and the Fiduciary's Duty of Loyalty', (1968) 84 L.Q.R. 472.
- ——. History of the Law of Charity 1532–1837. Cambridge: Cambridge University Press, 1969.
- Keane, Ronan. Equity and the Law of Trusts in the Republic of Ireland. London:

Butterworth & Co. (Publishers) Ltd., 1988.

- Keeton, G.W. and Sheridan, L.A. *The Law of Trusts*. 12th ed., [by Lionel Astor Sheridan]. Chichester: Barry Rose, 1993.
- Kessler, J. Drafting Trusts and Will Trusts. 2d ed. London: Sweet & Maxwell Ltd., 1992.
- Kiralfy, A.K.R. 'Purpose Trusts: Powers and Conditions', (1950) 14 Conv. 374. Krishna, V. Fundamentals of Canadian Income Tax. 4th ed. 1993.
- Langbein, J. 'The Contractual Basis of the Law of Trusts', (1995) 109 Yale L.J. 625.
 Lawrence, R.C. 'The Role of the Protector—An Insulator for Corporate Beneficiaries?' [1993] J. Int. P. 88.
- Lewin, Thomas. Lewin on Trusts. 16th ed., [by W.J. Mowbray]. London: Sweet & Maxwell Ltd., 1964.
- Lovell, P.A. 'Non-charitable Purpose Trusts—Further Reflections', (1970) 34

Conv. 77.

Maitland, F.W. Equity, Selected Essays. 2d ed., [edited by H.D. Hazeltine, G. Lapsley, P.H. Winfield]. Cambridge: Cambridge University Press, 1936.

Manicke, R. 'A Tax Deduction for Restitutionary Payments? Solving the Dilemma of the Thwarted Embezzler', [1992] U. Ill. L.R. 593.

Martin, J. 'Fusion, Fallacy and Confusion; a Comparative Study', (1994) 47 Conv. 13

Mason, Keith and Carter, J.W. Restitution Law in Australia. 1995.

Mason, The Hon. Sir Anthony. 'The Place of Equity and Equitable Remedies in the Contemporary Common Law World', (1994) 110 L.Q.R. 238.

Matthews, Paul. 'Trusts to Maintain Animals', [1983] L.S. Gaz. 2451.

- ——. 'Gifts to Unincorporated Associations', (1995) Conv. 302.
- ——. 'A Heresy and a Half in a Certainty of Objects', [1984] Conv. 22.
- -----. 'Protectors: Two Cases, Twenty Questions' (1995) 9 T.L.I. 108.
- ——. 'The Asset Protection Trust: Holy Grail or Wholly Useless?' (1995) The King's College L.R. 62.

—— and Lunney, Mark. 'A Tortfeasor's Lot is Not a Happy One?' (1995) 58 M.L.R. 395.

—— and Malik, Hodge M. Discovery. London: Sweet & Maxwell Ltd., 1992. Maudsley, R.H. The Modern Law of Perpetuities. London: Butterworth & Co.

- (Publishers) Ltd., 1979.
- McCamus, J.D. 'Equitable Compensation and Restitutionary Remedies: Recent Developments'. Paper delivered at Special Lectures of the Law Society of Upper Canada, 1995. Forthcoming.
- McKay, L. 'Trusts for Purposes-Another View', (1973) 37 Conv. 420.
- McKendrick, E., ed. Commercial Aspects of Trusts and Fiduciary Obligations. Oxford: Clarendon Press, 1992.
- McNair, David R. 'Cook Islands International Trusts Act, 1995–Amendments'. Paper delivered to a Canadian Institute conference, International Estate Planning. Toronto, Ont. 4th-5th December 1995. Unpublished.
- Meagher, R.P., Gummow, W.M.C., and Lehane, J.R.F. Equity, Doctrine and Remedies. 3d ed. Sydney: Butterworth's, 1992.
- Megarry, The Rt. Hon. R.E., Q.C. and Wade, H.W.R. Megarry's Manual of the Law of Real Property. 7th ed. London: Sweet & Maxwell Ltd./Stevens & Sons Ltd.,

337

1993.

Millett, P.J., Q.C. 'Equity-The Road Ahead', [1995] The King's College L.J. 1.

——. 'The Quistclose Trust: Who can enforce it?' (1985) 101 L.Q.R. 269.

Moffat, G. Trusts Law: Text and Materials. 2d ed. London: Butterworth & Co. (Publishers) Ltd., 1994.

Moore, J. and Sorlien, R. 'Homeless Income', (1953) 8 Tax Law Review 425. Morris, J.H.C. and Leach, W. Barton. The Rule Against Perpetuities. 2d ed. London: Stevens & Sons, 1964.

Nathan, Joseph Arnold. Equity through the Cases and Judicial Exposition. London: Stevens & Sons Ltd., 1939.

Neuhoff and Pavel. Trust and Foundations in Europe. 1991.

Nicholas, Barry. The French Law of Contract. 2d ed. Oxford: Clarendon Press, 1992.

- Nolan, R. 'Conflicts of Duty and the Morals of the Market Place', [1994] C.L.J. 34.
- ——. 'From Knowing Assistance to Dishonest Facilitation', [1995] C.L.J. 505.
- O'Connor, P. 'Unadjudicated Claims to Equitable Interests under Constructive Trusts: Their Status as Property under the Pension-Assets Tests'. Unpublished LL.M. thesis, 1995.
- Oakley, A.J. 'Has the Constructive Trust Become a General Equitable Remedy?' in Current Legal Problems 1973. Vol. 26, [edited by Lord Lloyd of Hampstead and Ernest H. Scamell]. London: Stevens & Sons Ltd., 1973.
- Parker, D.B. and Mellows, A.R. The Modern Law of Trusts. 6th ed., [edited by A.J. Oakley]. London: Sweet & Maxwell Ltd., 1994.
- Peart, N.S. 'A Comparative View of Property Rights in *de facto* Relationships: Are We All Driving in the Same Direction?' (1989) Otago L.R. 100.
- Penney, Andrew. 'Rights and Powers of Trust Protectors: Rahman Revisited', [1995] J. Int. P. 31.
- Pennington, R.R. Pennington's Company Law. 6th ed. London: Stevens & Sons Ltd., 1990.
- Pettit, P.H. Equity and the Law of Trusts. 7th ed. London: Butterworth & Co. (Publishers) Ltd., 1993.
- Pinson, B. and Thomas, R., eds. Pinson on Revenue Law. 17th ed. London: Sweet & Maxwell Ltd., 1986.
- Pollock, J. and Maitland, F.W. The History of English Law. 2 vols. 2d ed. Cambridge: Cambridge University Press, 1968.
- Potter, D.C. 'Trusts for Non-Charitable Purposes', (1949) 13 Conv. 418.
- Rickett, C.E.F. 'Different Views on the Scope of the Quistclose Analysis: English and Antipodean Insights', (1991) 107 L.Q.R. 608.
- ——. 'Unincorporated Associations and their Dissolution', (1980) 39 C.L.J. 88.
- ——. and Gardner, T. 'Compensating for Loss in Equity: The Evolution of a Remedy', (1994) 24 Vict. U. Well. L.R. 19.
- Saunders on Uses and Trusts. 4th ed. 1841.
- Scott, A.W. Scott on Trusts. 4th ed., [by W.F. Fratcher]. Boston: Little, Brown & Co., 1990.
- Sealy, L.S. 'The Director as Trustee', [1967] C.L.J. 83.
- ——. 'Fiduciary Obligations—Forty Years On', (1995) 9 J.C.L. 37.
- -----. 'Fiduciary Relationships', [1962] C.L.J. 69.

-----. 'Some Principles of Fiduciary Obligation', [1963] C.L.J. 119.
Shepherd, J.C. The Law of Fiduciaries. Toronto: The Carswell Co. Ltd., 1981.
----. 'Towards a Unified Concept of Fiduciary Relations', (1981) 97 L.Q.R. 51.
Sheridan, Lionel Astor. 'Trusts for Non-Charitable Purposes', (1953) 17 Conv. 46.
Smart, P. St J. 'Holding Property for Non-Charitable Purposes: Mandates, Conditions and Estoppels', (1987) Conv. 415.

- Snell, E.H.T. Snell's Principles of Equity. 29th ed., [edited by P.V. Baker and P.St J. Langen]. London: Sweet & Maxwell Ltd., 1990.
- Spearing, Fiona. 'Discretionary Trust and Power: Distinction Without a Difference?' (1990) 4 Trust Law & Practice 117.
- Stone, M. 'The Reification of Legal Concepts: Muschinski v. Dodds', (1986) 9 U.N.S.W.L.J. 63.
- Story, J. Commentaries on Equity Jurisprudence. 2d ed. Boston: Little, Brown & Co., 1839.

Sweet, Charles. 'Restraints on Alienation', (1917) 33 L.Q.R. 342.

- Thayer, James Bradley. A Preliminary Treatise on Evidence at the Common Law.
 - S. Hackensack, N.J.: Rothman Reprints, 1969.
- Thomas, J.A.C. Textbook of Roman Law. Amsterdam: Northern-Holland Publishing Co., 1976.
- Trebilcock, M.J. 'The Liability of Company Directors for Negligence', (1969) 32 M.L.R. 499.
- Underhill, A. and Hayton, D.J. *Law Relating to Trusts and Trustees.* 15th ed., [by D.J. Hayton]. London: Butterworth & Co. (Publishers) Ltd., 1995.
- Underwood, Richard et al. Practical Trust Precedents. London: Longman Law, Tax and Finance, 1986.
- Warburton, Jean. 'The Holding of Property by Unincorporated Associations', (1985) Conv. 318.
- ——. Unincorporated Associations: Law and Practice. London: Sweet & Maxwell Ltd., 1986.
- Waters, D.W.M. 'The Constructive Trust in Evolution: Substantive and Remedial', (1991) 10 Estates & Trust L.J. 334.
- -----. Law of Trusts in Canada. 2d ed. Toronto: The Carswell Co. Ltd., 1984.
- ——., ed. Equity, Fiducuaries and Trustees. Toronto: The Carswell Co. Ltd., 1993.

White & Tudor's Leading Cases in Equity. 2 vols. 7th ed., [by Thomas Snow]. London: Sweet & Maxwell Ltd., 1897.

- Whiteman, Peter G., ed. Whiteman and Wheatcroft on Income Tax. 3d ed. London: Sweet & Maxwell Ltd., 1988.
- Williams, Glanville L. Joint Obligations. London: Butterworth & Co. (Publishers) Ltd., 1949.
- Wilson and Duncan. Trusts, Trustees and Executors. 3d ed. 1995.
- Youdan, T.G., ed. Equity, Fiduciaries and Trusts. Toronto: The Carswell Co. Ltd., 1989.