CONTENTS: OUTLINE

Pref	face and Acknowledgements	v
Tab	le of Cases	XV
Tab	le of Legal Instruments	xxxiii
Par	t I: Introduction	1
A	The basic tension of property law	4
В	The basic structure of property law: introduction	16
СВ	asic concepts	
C1	Equity	66
C2	Registration	81
C3	Formality	99
Par	The basic tension of property law The basic structure of property law: introduction asic concepts Equity Registration Formality t II: Applying the basic structure The general part Property rights Persistent rights Direct rights The impact of unjust enrichment	129
DΤ	The general part	
D1	Property rights	132
D2	Persistent rights	206
D3	Direct rights	267
D4	The impact of unjust enrichment	289
E La	and	
E1	Property rights	341
E2	Persistent rights	364
E3	Direct rights	425
E4	Proprietary estoppel	444
E5	The Land Registration Act 2002	477
E6	Licences	502
Par	t III: Specific rights	523
F Tl	he general part	
F1	Ownership	526
F2	Co-Ownership	530
F3	The Trust	551
F4	Security	583

viii CONTENTS: OUTLINE

Select Bibliography

Index

G Land			
G1A	Ownership: the Freehold	644	
G1B	Ownership: the Lease	656	
G2	Co-Ownership	709	
G3	The Trust	747	
G4	Security	786	
G5	The Easement	837	
G6	The Restrictive Covenant	883	

927

931

Atto: I www. 3bookshop.com

CONTENTS: DETAIL

PART I: INTRODUCTION			1
A	The basic tension of property law		
	A1	The property law system	4
	A2	The basic tension of property law	5
	A3	The basic tension and land law	6
	A4	The scope of property law	12
	Sumn	The scope of property law mary and structure of the book vasic structure of property law: introduction The basic situation Addressing the basic situation: initial points Direct rights Pre-existing rights Defences to pre-existing rights Remedies Summarising the basic structure	14
В	The basic structure of property law: introduction		16
	B1	The basic situation	16
	B2	Addressing the basic situation: initial points	17
	В3	Direct rights	20
	B4	Pre-existing rights	21
	B5	Defences to pre-existing rights	35
	B6	Remedies	39
	B7	Summarising the basic structure	40
	B8	Human rights and the basic structure	41
	В9	Doctrine and practical convenience	56
	B10	Disputes about the use cta right	57
	B11	Applying the basic structure: an example	59
C Ba	asic con	cepts	
C1	Equit	y	66
	C1.1	An historical introduction	66
	C1.2	Confusion or coherence?	67
	C1.3	Common Law, Equity and the basic structure of property law	68
	C1.4	Summary and conclusion	77
C2	Registration		81
	C2.1	Introduction	81
	C2.2	The purpose of registration	82
	C2.3	Registration as a legal concept	83
	C2.4	The scope of registration	85
	C2.5	Registration and land law	86
	C2.6	Registration, registered land and the basic tension	87
	C2.7	Registration and unregistered land	93
	Sumn	nary	96
C3	Form	ality	99
	C3.1	Introduction	99
	C3.2	Formality and formality rules	99

x CONTENTS: DETAIL

	C3.3	The function of formality rules	101
	C3.4	Justifying formality rules	104
	C3.5	The operation of formality rules	111
	C3.6	Justifying the operation of formality rules	117
	C3.7	Equity and formality rules	121
	Sumn	nary	127
PAR	T II: A	PPLYING THE BASIC STRUCTURE	129
D T	he gene	ral part	
D1	_	erty rights	132
		The content question	132
		The acquisition question	154
		The defences question	179
		The remedies question	194
D2		tent rights	206
		The content question	206
		The acquisition question	228
		The defences question	240
		The remedies question	254
D3		The defences question The remedies question tent rights The content question The acquisition question The defences question trights The content question The acquisition question The defences question The acquisition question The defences question The remedies question	267
		The content question	267
		The acquisition question	268
		The defences question	284
	D4.4	The remedies question	284
	Sumn		287
D4		mpact of unjust enrichment	289
	D4.1	Introduction	289
	D4.2	Direct rights	291
	D4.3	Property rights: the acquisition question	298
	D4.4	Persistent rights: the acquisition question	305
	D4.5	Property rights and persistent rights: the defences question	333
	D4.6	Property rights: the remedies question	335
	D4.7	Persistent rights: the remedies question	337
	Sumn	nary	339
E La		utra ni alata	2.41
EI		rty rights	341
	E1.1 E1.2	The content question The acquisition question	341 345
	E1.2	The defences question	352
	E1.3 E1.4	The remedies question	358
E2			356 364
ĿΖ	E2.1	tent rights The content question	364 365
	E2.1 E2.2	The acquisition question	376
	E2.2 E2.3	The defences question	393
	114.9	THE defences question	333

	E2.4	The remedies question	417
E3	Direc	t rights	425
		Overview	425
	E3.1	The content question	426
	E3.2	The acquisition question	427
	E3.3	The remedies question	441
	Sumn	nary	442
E4	Propr	rietary estoppel	444
	E4.1	The nature of proprietary estoppel	444
	E4.2	The purpose of proprietary estoppel	445
	E4.3	The requirements of proprietary estoppel	448
	E4.4	The extent of A's duty to B	457
	E4.5	The remedies question	465
	E4.6	The effect of B's right on C	466
	E4.7	Formality rules and proprietary estoppel	472
	E4.8	Proprietary estoppel and the law of obligations	473
	Sumn	Formality rules and proprietary estoppel Proprietary estoppel and the law of obligations nary and Registration Act 2002 The aims of the Act The aims of the Act and the basic tension	474
E5	The L	and Registration Act 2002	477
	E5.1	The aims of the Act	477
	E5.2	The aims of the Act and the basic tension	479
	E5.3	The impact of the Act: the current position	480
	E5.4	The position after the introduction of electronic registration	493
	E5.5	Conclusion: evaluating the Act	496
E6	Licences E6.1 Definition E6.2 The bare licence		
	E6.1	Definition	502
	E6.2	The bare licence	503
	E6.3		504
	E6.4	The estoppel licence	514
	E6.5	Other forms of licence	518
	Sumn	nary	521
DΔR	т ш. с	PECIFIC RIGHTS	523
			323
	•	ral part	5 26
F1	Owne	•	526
	F1.1	The content question	526
	F1.2	The acquisition question	527
	F1.3	The defences question	527
По	F1.4	The remedies question	528 530
F2	Co-Ownership		
	F2.1	The content question	530
	F2.2	The acquisition question	538
	F2.3	The defences question	549
TIC.	F2.4	The remedies question	549
F3	The T		551
	F3.1	The content question	551

xii CONTENTS: DETAIL

	F3.2 The acquisition question	555
	F3.3 The defences question	578
	F4.4 The remedies question	580
F4	Security	583
	F4.1 Introduction	583
	F4.2 The content question	588
	F4.3 The acquisition question	611
	F4.4 The defences question	624
	F4.5 The remedies question: enforcement of B's security right	633
G La	nd	
G1A	Ownership: the Freehold	644
	G1A.1 The content question	644
	G1A.2 The acquisition question	647
	G1A.3 The defences question	650
	G1A.3 The defences question G1A.4 The remedies question Ownership: the Lease G1B.1 The content question G1B.2 The acquisition question G1B.3 The defences question G1B.4 The remedies question	651
G1B	Ownership: the Lease	656
	G1B.1 The content question	656
	G1B.2 The acquisition question	684
	G1B.3 The defences question	694
	G1B.4 The remedies question	694
	G1B.5 The nature of a Lease: contract or property?	697
	G1B.6 The Equitable Lease	704
G2	Co-Ownership	
	G2.1 The content question	709
	G2.2 The acquisition question	724
	G2.3 The defences question	742
	G2.4 The remedies question	742
G3	The Trust	747
	G3.1 The content question	747
	G3.2 The acquisition question	757
	G3.3 The defences question	782
	G4.4 The remedies question	783
G4	Security	786
	G4.1 Introduction	786
	G4.2 The content question	791
	G4.3 The acquisition question	808
	G4.4 The defences question	819
	G4.5 The remedies question: enforcement of B's security right	826
G5	The Easement	837
	G5.1 The content question	838
	G5.2 The acquisition question	850
	G5.3 The defences question	871
	G5.4 The remedies question	874
	G5.5 The Equitable Easement	876

CONTENTS: DETAIL xiii

G6	The Restrictive Covenant		883
	G6.1	The content question	885
	G6.2	The acquisition question	897
	G6.3	The defences question	918
	G6.4	The remedies question	919
	G6.5	Comparing the Restrictive Covenant and the Easement	922

Millip. Hand Spookshop. Colling Spookshop.