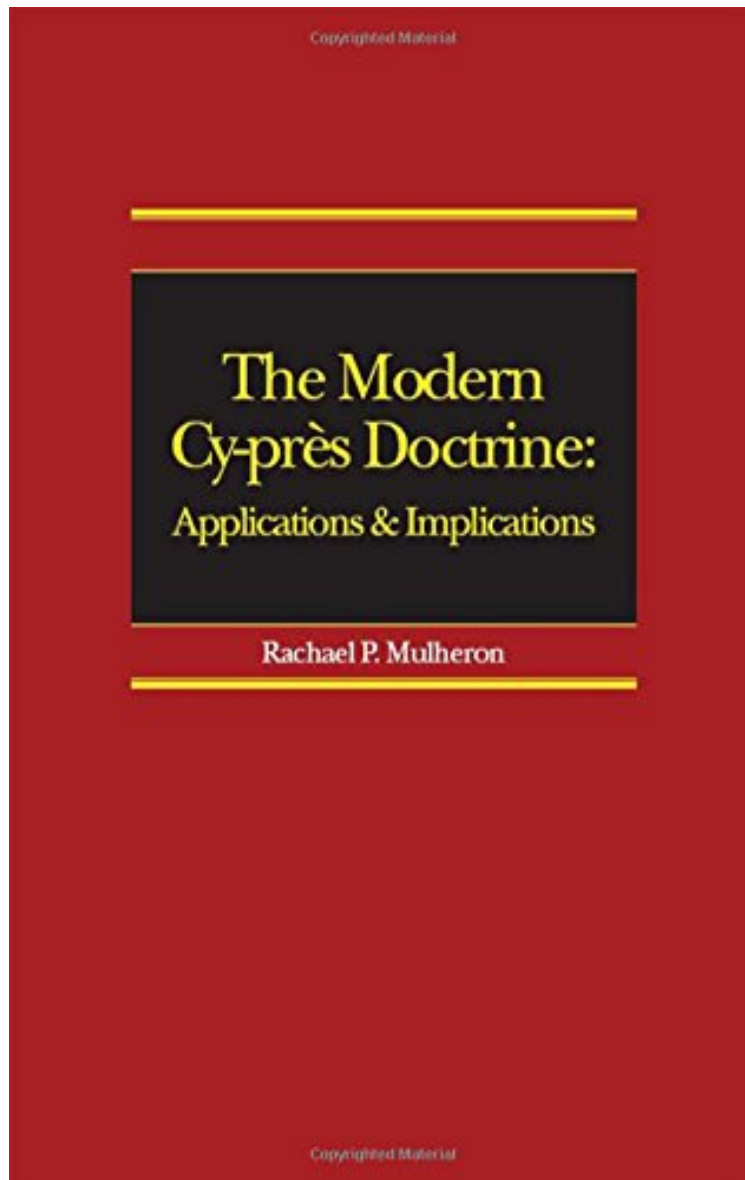


(Read free) The Modern Cy-prs Doctrine: Applications and Implications

The Modern Cy-prs Doctrine: Applications and Implications

Rachael Mulheron

*ePub | *DOC | audiobook | ebooks | Download PDF*



 Download

 Read Online

#7788283 in Books 2006-11-09 Original language: English PDF # 1 9.21 x .88 x 6.141, 1.58 #File Name: 1844720861400 pages | File size: 22.Mb

Rachael Mulheron : The Modern Cy-prs Doctrine: Applications and Implications before purchasing it in order to gage whether or not it would be worth my time, and all praised The Modern Cy-prs Doctrine: Applications and Implications:

It is unusual, in the precise world of law, to find instances of where near enough is good enough. This book explores when this is possible, referring to property and monetary transfers, under the increasingly important and influential cy-prs 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-prs doctrine. It asks whether there is a doctrinal symmetry of analysis that truly renders it a body of cy-prs 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.

"The Modern Cy-Prs Doctrine [is] a useful and relevant reference text for class action practitioners... [and] a useful guide to anyone objecting to a proposed cy-prs scheme or wanting to suggest improvements to it." - *The Canadian Class Action*, vol. 4 no. 1, July 2007

About the Author: Dr Rachael Mulheron is Senior Lecturer in Law at Queen Mary University of London. She is also author of *The Class Action in Common Law Legal Systems: A Comparative Perspective* (Hart Publishing, Oxford, 2004).