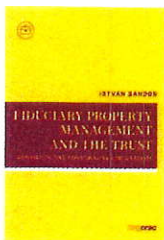


Fiduciary Property Management and the Trust

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PUBLISHED IN OCTOBER 2015, *Fiduciary Property Management and the Trust* provides a historical analysis of the Anglo-Saxon trust, together with a comparative law review of similar civil-law institutions. It is a unique work, and offers an analysis of the trust concept in an international context.

The author reviews eight topics related to the law of trusts, which amount to separate detailed works of research.

The first chapter deals with the scope of the research and the most important terms of the trust relationship.

The second chapter discusses the development of the trust, and also examines other contemporary legal institutions that may have played a role in its development. Within this context, the Roman, Islamic and Germanic legal institutions with a similar function to the trust are discussed.

Chapter three describes the trust rules and includes the various definitions of the trust, and its common classifications in literature. The author describes the characteristic aspects of English and Welsh regulation and also references many landmark cases. He then discusses the different rules in effect in Anglo-Saxon countries other than England and Wales, but only to the extent necessary for clarification. The author has taken this approach because trust rules are essentially established according to the same principles in Anglo-Saxon countries, and countries often reach beyond their borders to reference case law in other Anglo-Saxon jurisdictions.

Chapter four deals with the adoption of the trust in civil-law systems and focuses on the principle views of legal literature. It also raises issues that continue to impede the full application of trust rules in civil-law legal systems today.

Chapter five provides an overview of legislative methods and legal practices in different countries that have the potential

to implement the trust or trust-like legal devices. The author applies a quasi-arbitrary classification of similarities between the different legal families.

Chapter six discusses the international efforts aimed at the unification of law, while chapter seven documents the background and rules of the fiduciary property management contract in Hungary.

Chapter eight contains conclusions drawn from the author's research. The author also summarises the differences between the various trust structures and rules, and notes various solutions.

COMPARE AND CONTRAST

The opinions in specialised literature relating to the reception of the trust are divided. According to empirical analysis, the trust is based on the same concept, with different details in the rules, and adopted in countries with an Anglo-Saxon legal system. There is a set of rules formed by the same principles of law in the US, Canada, Australia, New Zealand, Malaysia, Hong Kong, India, Ghana, Nigeria, and so on, which is evidenced by the application of case law reaching across these countries' borders. In jurisdictions with mixed legal systems, such as South Africa, Scotland, Louisiana or the Canadian province of Québec, the adoption of the trust has resulted in significant differences.

The author reviews the regulations of nearly 50 countries from historical and comparative perspectives, and an approach to the subject matter based on the title to ownership forms the primary basis of the comparison of laws, classifying the solutions of legislators according to this criterion.

The extensive research behind this book is reflected in a list of around 400 literary sources and nearly 550 legal rules, judicial documents and other sources. This is a useful and enjoyable book about trusts and similar legal solutions.



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