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The mode of citation of this volume is
(2016) 90 ALJ [page]

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The mode of citation of this volume is:
90 ALJR [page]
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Chief Justice Allsop
Over the last few decades the principles of restitution and unjust enrichment have undergone a significant degree of reorganisation and reformulation within both English and Australian law. In order better to understand these legal concepts, and their place within the modern law of obligations, it is important to understand their historical foundations, and how they have developed into the late 20th century. This article presents a brief historical account of the law of restitution, with a particular focus upon how common law writs and forms of action have evolved since the 12th century and on the development of the law of assumpsit and quasi-contract. It also considers the place of equity, and of equitable notions and principles, as an informing value for the law of restitution and unjust enrichment. ...................................................... 561

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Professor Gerard Carney
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