**ASSIGNMENT INSTRUCTIONS**

**Module Title:          Equity and the Law of Trusts**

**Module Code:        MOD000030                                Level:                                5**

**Academic Year:     2019/20                                Semester:                                2**

**Module Leader:**

**Instructions:          Answer the question(s) set out below.**

**Word Limit:            3,000 words, excluding footnotes, bibliography and other items listed in rule 6.71 of the Academic Regulations:**

[**http://web.anglia.ac.uk/anet/academic/public/academic\_regs.pdf**Links to an external site.](http://web.anglia.ac.uk/anet/academic/public/academic_regs.pdf)

**Written assignments must not exceed the specified maximum number of words.  When a written assignment is marked, the excessive use of words beyond the word limit is reflected in the academic judgement of the piece of work which results in a lower mark being awarded for the piece of work (regulation 6.70).**

Submission Date:    This assignment must be submitted via Turnitin GradeMark (see module guide on VLE for further information) by no later than 2pm on  22nd  May 2020

Students can submit assignments late (ie: after the published or extended deadline), up to five working days after the published (or extended) deadline. The element of assessment to which the assignment contributes is capped at 40% (regulation 6.51).

Requests for short-term extensions will be considered in the case of illness or other valid cause, by the Faculty Student Advisers (studentadvice@anglia.ac.uk).

These must be received & agreed by the Faculty Student Advisers prior to the deadline, see rules 6.54-6.62

**Mitigation Date:   The deadline for submission of mitigation in relation to this assignment is no later than five working days after the submission date of this work.  See further rule 6.103:**

[**http://web.anglia.ac.uk/anet/academic/public/academic\_regs.pdf**Links to an external site.](http://web.anglia.ac.uk/anet/academic/public/academic_regs.pdf)

**Further details:        This assignment must be completed individually. For further guidance see Academic Honesty Policy:**

[**http://libweb.anglia.ac.uk/academic/files/Academic%20Honesty%20Policy.pdf**Links to an external site.](http://libweb.anglia.ac.uk/academic/files/Academic%20Honesty%20Policy.pdf)

**Referencing:            Work must be properly referenced (see Academic Honesty Policy above) and MUST use the OSCOLA system and include a bibliography.  For further guidance on OSCOLA see:**[**http://libweb.anglia.ac.uk/referencing/oscola.html**Links to an external site.](http://libweb.anglia.ac.uk/referencing/oscola.html)

**ASSESSMENT QUESTION**

QTC Hotels Ltd is seeking to expand its international chain of hotels and is looking to purchase a hotel in Brazil for £15m from Rio de Janeiro Hotels SA. Given the complexity of buying property abroad QTC Hotels was assisted in the purchase by Brazilian Investment Advice Ltd (BIA). BIA acted as both an intermediary and consultant. However, unknown to QTC, BIA had a secret arrangement with Rio de Janeiro Hotels to the effect that the latter would pay BIA £1.5m as a result of selling the hotel.

QTC has subsequently discovered the payment of the secret commission and seeks to recover the £1.5m. However, on receipt of the money BIA invested it into two separate ventures. The first, Brazilian Rubber Industries SA failed and the whole £800,000 investment was lost. The second, was considerably more successful and the £700,000 initial investment into Sao Paulo Industries SA is now worth £2.1m.

**You are instructed to advise the company secretary of QTC Hotels on what basis, if any, they might make a claim against BIA.**