

and *New Zealand* again, inevitably, covers much of the same ground as some of the other standard texts, particularly *Jacobs' Law of Trusts*. The nature of a trust, the requisite certainties and the requirements as to form are all considered. Separate chapters deal with discretionary, charitable and resulting trusts. There is a particularly useful chapter on superannuation which includes an analysis of the legislative regulation of superannuation in both Australia and New Zealand. Constructive trusts are dealt with as one of the equitable remedies.

The authors of *Equity and Trusts in Australia and New Zealand* have set themselves a demanding task: to describe all equity and trust law, case law and statute, in both Australia and New Zealand. It is convenient to have all this in the one volume. The price of the convenience is brevity. To take one example, the vigorous debate in respect of those cases which have taken a more expansive approach to equitable set off, as compared with what *Equity and Trusts in Australia and New Zealand* calls 'classical equitable set off', is confined here to a footnote.

Still, readers wishing to research an issue in more depth are directed where to go. *Equity and Trusts in Australia and New Zealand* is a comprehensive and accessible addition to the legal literature in this area.

The companion volume is a casebook, and consequently may be of more interest to the student than the practitioner. Extracts of cases are followed by detailed questions, and points for law reform. Usefully, the organisation of parts and chapters conforms to that of the main volume. Because of this the casebook will be of particular interest to those students studying equity and trusts through the main volume.

Reviewed by Jeremy Stoljar

Media Law and Commentary Materials

By Sally Walker
LBC Information Services, 2000.

In the forward to this publication, Sally Walker notes that over a decade has past since her last book, *The Law of Journalism in Australia* (LBC) was published. The considerable size and scope of this work is a reflection of the profound changes and explosion of activity in the field of media law during this period and a comprehensive one at that.

The author states that the book, while described a compendium of 'commentary and materials', was prepared not only with students in mind but was aimed more broadly at practitioners, media organisations and journalists. To this end she has achieved her objective. While the latter may hesitate before dipping into this work given that its orientation is clearly towards a legal audience, the book is nevertheless accessible enough so that those who do not possess a background in the law

can nevertheless make use of the information contained within it. For lawyers, the book is an excellent resource for those who do not profess to be specialists in this field. It marries contemporary commentary with relevant legislation, case extracts and secondary materials in an altogether harmonious fashion thereby providing a convenient initial 'one stop shopping' facility for those who are unsure as to where to commence their researches. For both students and lecturers, the publication will undoubtedly become an invaluable teaching tool given its breadth, its depth and its clarity.

The book is structured into seven parts dealing with all of the topics that one would expect in a publication bearing the name Media Law, viz, defamation and related actions; the reporting of events in the courtroom and in the Parliament; the publication of offensive material; the protection of intellectual property, the protection of privacy and the regulation of broadcasting, print and electronic media.

The layout of the book is clear and simple, enabling ease of navigation. The index to the book, for example, is sufficiently pithy to allow a reader to find with haste the topic to which their inquiries are directed. Equally helpful are the contents pages to each part and the detailed cross-referencing to other sections of the book. The table of statutes is also extremely useful.

In short, this practical and informative casebook will greatly assist practitioners and non-practitioners alike and given the lacuna that presently exists in respect of publications of this genre in this area of the law its release is timely.

Reviewed by Rachel Pepper

Trade Mark Law in Australia

By Brian Elkington, Michael Hall and David Kell
Sydney, Butterworths, 2000

There has, for some time, been a pressing need for a textbook on Australian trade mark law which deals with the *Trade Marks Act 1995*. This book to a large extent fills that gap, and will be of considerable assistance to practitioners in the area of trade mark law.

The book takes the form of an annotated *Trade Marks Act 1995*. Usefully, it also contains the Regulations, although not annotated.

The commentary is, on the whole, accurate, informative and concise, and provides a convenient starting point for analysis. It does, however, supply far less detail than the existing texts in the area such as Shanahan *Australian Law of Trade Marks and Passing Off*, and practitioners will need to go to other sources to obtain all relevant authorities or to analyse particular problems.

Like most works in the form of annotations, the book is somewhat difficult to use as a textbook: commentary on the one topic or on closely related topics is spread