

# FROM THE EDITOR

Welcome to the Twenty Fourth issue of BuildLaw®

in which we draw on the experience and expertise of leading experts to bring you commentary, articles and reviews on topical matters relating to construction law.

In this issue we feature 'Judicial Remedies for Construction Defects: Common Law, Equity or Statute', a paper prepared by Philip Britton and delivered by Philip to the Society of Construction Law New Zealand Inc. in March of this year. We also present articles on limiting financial liability for contractos; the relevance of frustration in modern day construction contracts; delegation of an adjudicator's decision making function; acting bona fide when calling on a bond (or not); varying no-variation clauses; entitlement to extensions of time in construction projects; and one good reason why milestone based entitlements to payment are really not such a good idea!

In Case in Brief, we present summaries of two recent cases of interest. NZ Fire Sprinkler Protection was a seminal case on how not to appoint an adjudicator under the Construction Contracts Act 2002 (to make matters worse, it is not the first time this has happened) and Iceland Drilling v Summit is an exemplar of the need to read the terms and conditions of any offer carefully – in this case the failure to read the second page cost Iceland Drilling nearly \$1.3million.

I wish to take this opportunity to thank all our contributors. We are most grateful for the support we receive from dispute resolution professionals, law firms, and publishers, locally and overseas, that allows us to share with you papers and articles of a world class standard, and to bring you a broad perspective on evolving trends in the delivery and practice of domestic and international dispute resolution and construction law.

Contributions of articles, papers and commentary for future issues of BuildLaw® are always welcome. I do hope you find this issue interesting and useful. Please feel free to distribute BuildLaw® to your friends and colleagues – they are most welcome to contact us if they wish to receive our publications directly.



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