

FROM THE EDITOR

Welcome to the 33rd issue of BuildLaw® in which we draw on the experience and expertise of leading experts in the field to bring you commentary, articles and reviews on topical matters relating to construction law.

In this issue we feature delay analysis. We also look at challenging an adjudication determination in various jurisdictions, the perennial chestnut - who are the parties to the contract? force majeure clauses and causation, current problems besetting the New Zealand construction industry, and more.

In 'Case in Brief' Jeremy Glover discusses the recent UK Court of Appeal decision in *North Midland Building Ltd v Cyden Homes Ltd* [2018] EWCA Civ 1744 in which the Court gave a clear indication that contractual terms will be honoured when deciding questions of construction (even if they appear harsh and unfair) and that common law principles such as the Prevention Principle cannot be relied upon to read down or strike down a contractual provision agreed upon by the parties – in this case one that allocated the risk and responsibility of concurrent delay to the contractor by stipulating that where there is concurrent delay, the contractor would not be entitled to an extension of time.

I wish to take this opportunity to thank all our contributors. We are most grateful for the support we receive from dispute resolution professional, 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 the law and 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.



Editor and Director Building Disputes Tribunal



John Green

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