

From the Editor

Welcome to the 36th 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 an article by the honourable Minister for Building and Construction, Jenny Salesa, with an invaluable insight on the proposed Building Law Reform Programme. In Case in Brief, Jeremy Glover makes a commentary on two recent Construction Law cases. In *PBS Energo AS v Bester Generacion UK Ltd* he makes an insightful analysis of the dismissal of an application for the summary enforcement of an adjudication decision; whereas in *Mears Ltd v Costplan Services (South East) Ltd & Ors*, Jeremy brings us the Court findings on the definition of 'practical completion', among other highlights of the case.

Continuing with the topic of adjudication, Misha Rouyanian and Namira Rahman discuss a case from NSW where an adjudicator's decision was rendered void on the grounds that there was no valid contract between the parties. Also, Sarah Leaver & Karen Clarke look at the impact of a recent Commercial Court decision that has considered the ability of an employer to recover payments made directly to subcontractors from its main contractor. We also look at the recent case law related to the risk of using appendices for additional contractual documents; the decision as to liability for the Lacrosse Tower fires case; and the Supreme Court final say on the 'on sold' earthquake damaged properties insured by IAG during the Canterbury earthquakes.

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.

Warmest regards,



Editor and Director Building Disputes Tribunal



John Green

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