

From the Editor

Welcome to the 37th 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 look at a NSW Supreme Court decision in *White Constructions Pty Ltd v PBS Holdings Pty Ltd* [2019] that found that the claimant, despite using an expert programmer, failed to sufficiently prove that a delay by the respondent caused delay and loss to the entire project. Delays also feature in our examination of a recent target cost contract decision in the UK case of *Network Rail Infrastructure Ltd v ABC Electrification Ltd*. In this case a small change in the drafting of the contract had a significant impact on the financial outcomes for the parties. We discuss the benefits of 'Framework Contracting' in delivering infrastructure, the risks to an owner of refusing a builder the opportunity to rectify defective building work and the risks that contractors face should they incorrectly suspend works for non-payment or other issues.

In Case in Brief we look at *C Spencer Limited v MW High Tech Projects UK Limited* which deals with how the The Housing Grants, Construction and Regeneration Act 1998 applies to hybrid construction contracts.

We also look at the measures being taken by the Victorian State Government to address the cladding crisis that has been impacting the state's construction industry and we examine parent company guarantees in the oil and gas industry and the lessons that can be learnt from them.

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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