

From the Editor

Welcome to the 39th 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.

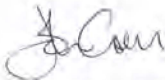
In this issue we look at the government guidelines for NZS3910:2013 contracts affected by Covid-19 Alert level 4 restrictions. We discuss adjudication injunctions caused by the virus and how they may help to provide some clarity to a rather cloudy area of law. We look at the recent High Court judgment in *Haskell Construction limited vs Robert Francis Ashcroft* and the clarification it provides as to whether an adjudicator can award damages for breach of contract. We examine the concept of 'buildability' and investigate whether the responsibility to ensure the 'buildability' of a project lies with the designer or the contractor. Elsewhere we discuss warning signs that building guarantee schemes are not financially viable, the use of indemnities in construction contracts and more.

In Case In Brief we look at *Rintoul Group Ltd v Far North District Council* [2019] NZHC 2577 in which the New Zealand High Court made a clear distinction between retentions and payment claims and suggested that the default provisions in the CCA do not apply to retentions.

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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