

# From the Editor

John Green



Welcome to the 41st 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 proposed amendments to the Resource Management Act 1992 and the progress of the Unit Titles Amendment Bill. We discuss the future of cladding safety in New Zealand and other jurisdictions after the outbreak of multiple high rise fires over the years, playing by the rules (the UK Government's Construction Playbook), as well as the importance of a well drafted scope of works in construction contracts, and more.

We feature an article by Riaia Donald and Irene Kim from MinterEllisonRuddWatts' Auckland based construction team, which considers the (significant) risks of not agreeing on a comprehensive pricing mechanism at the outset of a construction project. They examine the recent decision of the High Court in *Rebnik Properties Limited v Dobbs* [2020] NZHC 3494, which highlights the issues with construction contracts that are silent on price.

In Case in Brief, we look at *Secretariat Consulting Pte Ltd v A Company* [2021] EWCA, which raises questions about whether experts may look to amend their terms of engagement following the English Court of Appeal's finding that a conflict of interest clause applied to a global brand, despite involving separate experts in different locations, contracting via separate legal entities.

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**

A handwritten signature in blue ink, appearing to read 'J Green', written in a cursive style.

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