

From the Editor

John Green



Welcome to the 42nd 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 take a closer look at adjudication with articles considering recent case law and the questions to what extent adjudication decisions are binding on subsequent adjudicators and what sets jurisdiction in construction disputes. Both are fundamental issues to consider when pursuing adjudication as a dispute resolution option.

Further contributions consider the recent cases relevant to the prevention principle and the duty of good faith in Australia, the New Zealand retentions regime, the relevance of intentional and repudiatory breaches to limitation of liability in construction contracts, and adjudication enforcement in cross-border disputes.

In Case in Brief, we look at *BNZ Branch Properties Ltd v Wellington City Council* [2021] NZHC 1058, in which the New Zealand High Court ruled that a contribution claim by a defendant against third party engineers was not time-barred by the 10-year longstop period in the Building Act 2004.

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