

From the Editor

Catherine Green



Tēnā koutou katoa

Welcome to the 47th 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, Adrian Sharma looks at the draft report released by the Commerce Commission on competition in the residential building supplies industry, Sam Dorne takes us through the TCC's first decision arising out of a defective cladding dispute following the Grenfell Tower tragedy, and Maria Cole reminds us all why design images need to be accurate and disclaimers and exclusion clauses fit-for-purpose and unambiguous.

In Case in Brief, Kate Holland takes a closer look at *Woolworths Group Ltd v Twentieth Super Pace Nominees Pty Ltd* [2021], where the New South Wales Supreme Court applied a narrow interpretation to the meaning and effect of a force majeure clause, a topic of considerable interest in current times, following a recent pandemic, outbreak of war, and increasing adverse climate and weather events.

We are also grateful to include some key insights from BDO's James MacQueen and Nick Innes-Jones, looking at construction trends for 2022 including topical issues of inflation, staffing, and ESG. With further articles on the interpretation and enforcement of dispute resolution clauses, the risks of making a programme a contract document, the status of a late adjudication decision, the right to adjudicate under collateral warranties and more, this 47th issue of BuildLaw® will surely have something for you to read.

As always, 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.

Ngā mihi nui, nā

Catherine Green
Editor and Director Building Disputes Tribunal

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