

From the Editor

Catherine Green



Tēnā koutou katoa

Welcome to the 35th issue of ReResolution. As we move way from a summer of extreme weather events here in New Zealand, our thoughts are with those that have been affected by the torrential rain, flooding and Cyclone Gabrielle. It has certainly been a challenging start to 2023.

Despite the challenges, our team has been busy preparing this issue of ReResolution which continues to provide our readers with a wealth of interesting information and articles to explore. In this issue, Sam Dorne looks at a UK Supreme Court decision that examines the duties of directors when a company becomes or is likely to become insolvent.

Richard Pidgeon takes us through a decision out of the Supreme Court of Western Australia that considered whether a party to a gas supply agreement was justified in attempting to avoid an arbitration clause while Kate Holland discusses an English Court of Appeal ruling which considered whether a party is required to accept non-contractual performance during a force majeure event.

In Case in Brief, Alexander Lyall takes us through *SAB v BYH*, a case out of the English High Court that considered the status of an order made by a Tribunal in London.

We are also grateful to Varoon Kumar and Lily Leishman of Russell McVeagh for their piece on the Rules Committee's Improving Access to Justice report.

Further contributions touching on the changes to the unfair contract terms regime in Australia, the introduction of an Arbitration List by the County Court of Victoria, the English Law Commission's review of the Arbitration Act 1996 and many more round out the first issue of ReResolution for 2023.

As always, I wish to take this opportunity to thank all those that have contributed to this issue of ReResolution. We are grateful for the support we receive from dispute resolution professionals, law firms, authors and publishers. We are delighted to be able to share world-class articles and papers to bring a more comprehensive understanding of law and evolving trends in domestic and international dispute resolution.

Contributions of articles, papers, and commentary for future issues of ReResolution are always welcome. I do hope you find this issue interesting and useful. Please feel free to distribute ReResolution 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



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