

# Australian Construction Law Newsletter

Construction Publications P.O. Box 1341 Crows Nest NSW 2065 Tel 02 918 9569 Fax 02 918 7153

## General Issue

March/April 1989 **#4**

### CONTENTS

1. Strategies For The Reduction Of Claims And Disputes
2. NPWC Tender Code
3. New South Wales Tender Inquiry
4. New South Wales Inquiry Into Liability And Insurance
5. Building And Construction Contracts In The Victorian Public Sector
6. I.Arb.A. List Of Conciliators And Mediators
7. Draft SAA Home Building Contract
8. Architect's Checklist
9. Building Britain 2001
10. Wage Claims/National Wage Case
11. Operating Leases
12. Use Of Company Seals
13. Letters Of Comfort
14. Building Contracts - Notice Provisions
15. Appointment Of Arbitrator - Duty Of Appointor To Act Fairly
16. Contract And Insurance Law - Recent Significant Developments
17. New SAA Supply Contract
18. Product Liability

### IMPORTANT NOTICE

The material contained in this Newsletter is in the nature of general comment only and is not information or advice on any particular matter. No one should act on the basis of anything contained in this Newsletter without taking appropriate professional advice upon the particular circumstances. The Publisher, the Editors, and the authors do not accept responsibility for the consequences of any action taken or omitted to be taken by any person, whether a subscriber of this Newsletter or not, as a consequence of anything contained in or omitted from this Newsletter.

### COPYRIGHT

Material published in this Newsletter is copyright. Apart from fair dealing for the purposes of private study, research, criticism or review as permitted under the Copyright Act, no part may be reproduced by any process without written permission.

### CONTRIBUTIONS

Contributions to Australian Construction Law Newsletter are welcome. Articles may be submitted to Construction Publications for consideration by posting to PO Box 1341, Crows Nest, NSW, 2065 or by faxing to 02 918 7153. Please indicate that items are for consideration for Australian Construction Law Newsletter.

### 1. STRATEGIES FOR THE REDUCTION OF CLAIMS AND DISPUTES

The industry Report on construction industry claims and disputes summarised in Newsletter #3 is currently under consideration by the National Public Works Conference. NPWC's Contracts Committee has examined it in detail and is currently preparing detailed position papers on the recommendations contained in the Report for consideration by Conference.

It is expected that the National Public Works Conference will announce its intentions with respect to implementation of the Report's recommendations at a meeting with representatives from construction industry groups scheduled for early April 1989. These decisions will be reported in due course.

The Report shall also be presented to an International Public Works Federation Conference to be held in Honolulu in April. Any issues of interest to subscribers arising at this conference will also be reported in due course.

**EDITOR:**  
John Tyrnil

#### EDITORIAL PANEL:

**Ian Bailey**  
Barrister-at-law

**Adrian Batterby**  
Partner, Westgarth Baldick,  
Solicitors, Sydney

**Alan Blake**  
Corporate Lawyer,  
Kilpatrick Green

**Adrian Bellemore**  
Partner, Colin Biggers +  
Paisley, Solicitors, Sydney

**Rick Collins**  
Manager - Contractual  
Services, Leighton  
Contractors Pty Ltd

**Philip Davenport**  
Executive Advisor (Legal)  
Public Works Dept of NSW

**Richard Dinham**  
Asian American Capital  
Corporation Ltd

**Graham Easton**  
Telum Corporation Pty Ltd

**James Ferry**  
Partner, Baker + McKenzie,  
Solicitors, Singapore

**Arch Fletcher**  
Partner, Henderson Trout,  
Solicitors, Brisbane

**Eddie Helmold**  
Chairman, National Public  
Works Conference Contracts  
Committee

**Laurie James**  
Partner, Kott Gunning,  
Solicitors, Perth

**Doug Jones**  
Partner, Morris Fletcher +  
Cross, Solicitors, Brisbane

**Karyn Kinsella**  
Partner, Phillips Fox,  
Solicitors, Sydney

**N. Raj Logaraj**  
Partner, Baker + McKenzie,  
Solicitors, Sydney

**Marg Lothian**  
National Director,  
RAIA Practice Division

**Kim Lovegrove**  
Ridgeway Clements,  
Solicitors, Melbourne

**Anne McDonel**  
Solicitor, Sydney

**David Newton**  
Secretary General, Australian  
Commercial Disputes Centre

**John Topfer**  
Partner, Mallesons Stephen  
Jacques, Solicitors, Canberra