

## PRESENTERS



### **John Greenwood, GreenwoodRoche, Wellington**

John is a highly respected specialist in all aspects of property law. He is regularly called on as an expert witness in civil claims and to conduct arbitrations. John has taken a lead role in the reform of the Unit Titles Act as well as presented at seminars and represented the New Zealand Law Society with its submissions. With 45 years in practice, he has acted for the Crown, State-owned enterprises, Crown research institutes, major corporates, financial institutions, commercial developers and individuals. John's knowledge of property law is extensive, including construction, development and energy infrastructure projects and unit title developments.



### **James Mahuta-Coyle, Lambton Chambers, Wellington**

James' practice primarily concentrates on commercial and property-related litigation. Prior to entering the legal profession, he worked in the New Zealand Legislature for two Parliamentary Research Units (2002-2006), before becoming a Ministerial Adviser to a Cabinet Minister (2007-2008). James was subsequently admitted in 2009. Before joining the independent bar, he was an associate at Chen Palmer Partners and then a boutique criminal practice (together, 2009-2011). James maintains ongoing and active judicial review and criminal law work streams.

# CONTENTS

1.	SETTING THE SCENE .....	1
2.	THE MISCHIEF UNDERLYING <i>MILES V GADD</i> .....	3
3.	THE DECISION.....	5
	ANALYSIS .....	8
4.	POLICY CONSEQUENCES – SOME ISSUES FOR DISCUSSION .....	9
	ARE VENDORS TRAPPED EVEN IF THEY DO THE RIGHT THING? .....	9
	THRESHOLD FOR WARRANTY DIFFICULT TO APPLY .....	9
	OBSERVATION THAT DISCLOSURE REGIME IS REASONABLY COMPREHENSIVE.....	10
5.	LESSONS FOR PRACTITIONERS .....	11
	WHEN ACTING FOR VENDORS .....	11
	WHEN ACTING FOR PURCHASERS.....	11
6.	IMPACT OF THE NEW AMENDMENT ACT .....	13
	STRENGTHENED PRE-CONTRACT DISCLOSURE.....	13
7.	APPENDIX .....	15