

PRESENTER



Stephen Price, Minter Ellison Rudd Watts, Auckland

Stephen is a highly-regarded construction disputes lawyer, and leads Minter Ellison Rudd Watts' Construction Division in New Zealand. His expertise is in resolving large scale construction contract disputes particularly regarding claims for variations, delays/disruption, and the like, as well as defective works claims. Stephen is very experienced in bringing and defending adjudications under the Construction Contracts Act 2002 and was named by the Chambers Directory as a Band One ranked lawyer in the New Zealand construction field, and by the Asia Pacific Directory as a recommended lawyer.

CONTENTS

REMEDIES IN CONSTRUCTION LAW.....	1
INTRODUCTION	1
INJUNCTIVE/INTERIM RELIEF	1
<i>General</i>	1
<i>Interlocutory and interim injunctions</i>	2
<i>Accessibility of injunctions to parties to a construction project</i>	3
DAMAGES INCLUDING LIQUIDATED DAMAGES AND PENALTIES.....	4
<i>Unenforceability of liquidated damages</i>	5
SUSPENSION AND TERMINATION	7
<i>Suspension</i>	7
<i>Termination</i>	8
EQUITABLE REMEDIES	10
<i>Specific performance</i>	10
<i>Rectification</i>	11
STATUTORY DEMANDS.....	13
<i>Process</i>	13
<i>Setting aside statutory demands</i>	14
WITHHOLDING PAYMENT.....	14
<i>Withholding payment under the CCA</i>	14
<i>Retentions</i>	15
SIGNIFICANCE OF DISPUTE RESOLUTION FORUM	16
<i>Court</i>	17
<i>Adjudication</i>	17
<i>Arbitration</i>	17