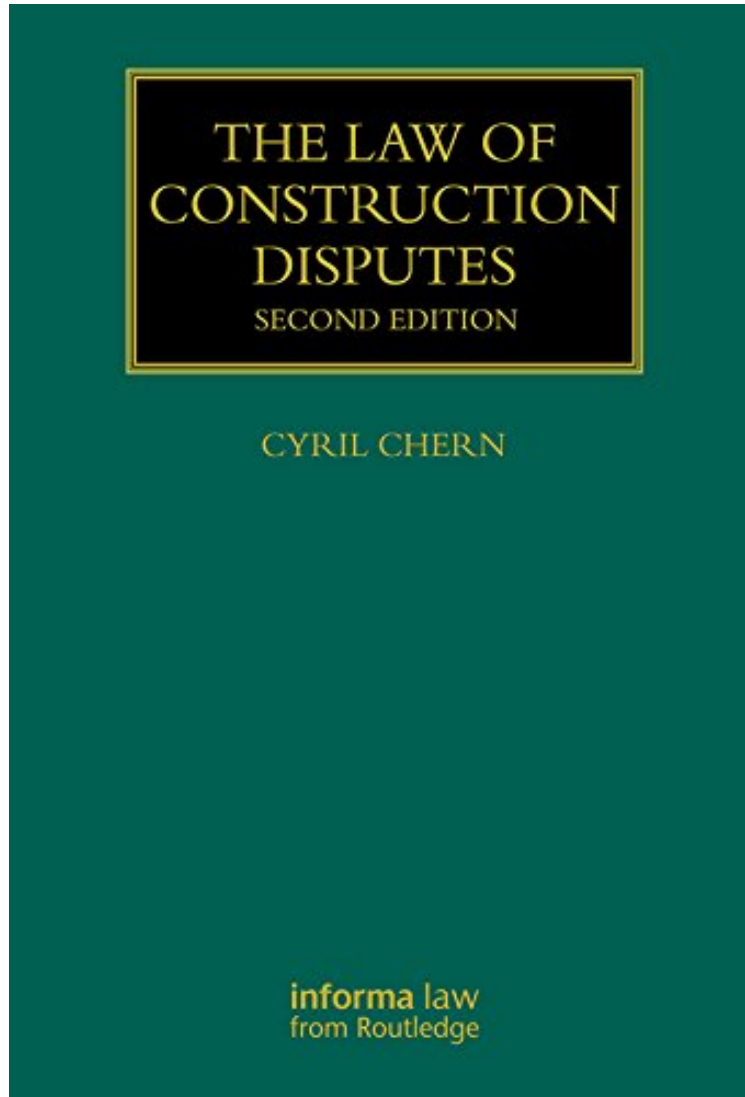


[PDF] The Law of Construction Disputes (Construction Practice Series)

## The Law of Construction Disputes (Construction Practice Series)

*Von Cyril Chern*

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**Von Cyril Chern : The Law of Construction Disputes (Construction Practice Series)** before purchasing it in order to gage whether or not it would be worth my time, and all praised The Law of Construction Disputes (Construction Practice Series):

Kundenrezensionen Hilfreichste Kundenrezensionen 0 von 0 Kunden fanden die folgende Rezension hilfreich. Chern's Creative Commentary.... new edition now out Von Phillip Taylor MBE [[VIDEOID:mo3KHY585YTKGQ9]] ON CONTRACTS AND CONSTRUCTION LAW PRINCIPLES An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers There is no question that Cyril Chern is expert Counsel in many aspects of both academic law and what we loosely call 'Construction' at least as far as the Bar is concerned when handling

disputes. Even the Preface to 'The Law of Construction Disputes' in Informa's 'Construction Practice Series' gives the reader a flavour of what is to come with the anecdote from a former Commonwealth colony court (no names!) which sets out the genesis of the book- not just the 'rule' but the reasons for the rule when queried by a testy judge which we have all been in front of' and was even prominent in a film 60 years ago - 'Brothers-in-Law' - as the old judge does actually help out a new barrister in the formidable Official Referee's Court dealing with a 'Scott Schedule' which Counsel (Ian Carmichael) appeared to have never heard of! Cyril Chern is well known to Informa readers for his expertise and this work handsomely creates in just 600 pages an analysis of the most recurring questions and points of law arising in construction disputes. It's a book which one would often like to have had when a particular point is disputed at the last moment in court. Now we have something which covers the entire spectrum of this area of law mixing the theory and the practice neatly in one volume. One aspect of dispute work at the Construction Bar is often the short point which requires a quick reason. To fulfil that requirement, Chern has detailed research of a very high standard which is explained with ease for the harassed barrister. There are 15 chapters and 16 Appendices in this book which is seriously needed by the Construction Bar together with its colleague title 'Remedies' recently written by the 'ter Haas' team. Chern's statement of practice, with an excellent bit of history at the beginning, contains the practical elements of what we need to tell the clients in a construction dispute- what can I get from this case and is it strong enough? It's especially relevant when negotiating a settlement which can occur quite frequently in this specialist area of law, sometimes when the case is part heard because of the way the evidence has gone. For the newly initiated, start the book with the excellent glossary at Appendix 1 which is worth turning to first, then take a look at the detailed index for what you are looking for. The sparking commentary throughout is a great bonus for this essential reference book for a Construction Bar set and to refresh one's memory. The book starts well with a description of what we do at the Construction Bar- in general we cover building, engineering and technology projects with particular detail made to standard forms of contract although most disputes arise out of or in respect of construction projects themselves. The term is quite loose today as it covers a number of linked substantive law areas and the remedies available in them. Chern goes at quite a pace to highlight the common problems and he succeeds. It's worth looking at chapter 15 on 'key issues in dispute resolution' because there are some very handy hints on how the courts may well be viewing the timetable of proceedings in the future. Throughout, the author has useful page sub titles at the top of each right hand page so you can find what you are looking for. Chern also sets out a great case for handling the thorny issue of remedies with intelligent use of authorities throughout but the book is not designed to cover or include a whole range of problems in commercial construction projects, but gives a welcome identification to the complexities of the dispute, and much detail to the areas that are likely to be of interest when running all aspects of your case so it's very much Cyril Chern's creative commentary on construction contracts for 21st century.

**SECOND EDITION THE DEFINITIVE TEXT FOR CONSTRUCTION BAR PRACTITIONERS: NOW IN A NEW SECOND EDITION**

An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

Disputes arising from construction are many and various in fact, almost infinite in their variety. Fortunately for the practitioner in this diverse and complicated area of law (in which more often than not, vast sums of money are at stake) Informa from Routledge have just published a new second edition of Cyril Chern's highly regarded and definitive text *The Law of Construction Disputes*. Since the first edition was published in 2010, there have been many changes in the field of law dealing with construction, says the author especially the disputes that arise in a construction setting. This updated edition contains a wealth of new material aimed at enabling the construction law practitioner to understand both the rule and the reasons behind the rule on any number of recurring points of law in this field. Within its almost 700 pages, the book covers the questions and points of law that occur in virtually all manifestations of construction activity and the disputes that often result -- those that occur most frequently that is, across a wide range of issues and geographical locations. As the author explains, the list of matters discussed is not exhaustive. Rather, they are garnered from his own experience of construction and disputes throughout the common law countries of the Commonwealth and North America, plus further selected discussions of other court systems including civil law and Sharia law. The detailed yet succinct discussion of Sharia law with respect to construction is as clear and comprehensive as you're probably likely to find anywhere. It must also be said here that clarity of expression in this comprehensive legal text is just one of its distinguishing features. To say that Cyril Chern brings an impressive array of qualifications and experience to the production of this book is a monumental understatement. He is both a Barrister at Crown Office Chambers and a Chartered Architect. His numerous qualifications are too numerous to list here, except to point out that his experience includes international civil and structural engineering design issues, plus over three decades of experience in arbitration, mediation, adjudication and other forms of dispute resolution. There can't be any practitioner at the Construction Bar who wouldn't value having this cornucopia of expertise placed readily to hand in this one handy volume. For obvious reasons, the bulk of the book focuses on design and construction disputes, defences to construction disputes and the various issues relating to contracts, from contractors rights and obligations to termination of contract. Also note the two lengthy chapters on dispute resolution. Researchers will appreciate the extensive tables of cases and legislation, plus the sixteen appendices and detailed table of contents and index. Any practitioner involved in, or anticipating a career at the Construction Bar will no doubt regard this book as absolutely

indispensable. The publication date is cited as at 2016.

Kurzbeschreibung Now in a fully updated second edition, *The Law of Construction Disputes* is a leading source of authoritative and detailed information on the whole area of construction law including contracts and their performance, third parties, pursuing claims and dispute resolution. It covers the construction dispute process by analysing the main areas from which disputes arise, up to date case law, and how to effectively deal with construction project disputes once they have arisen. This edition expands on advanced practitioner issues, as well as the emerging law of construction disputes on an international basis and gives the practitioner all the case law needed in one concise volume. The book examines the methods and methodology of construction law, not only for a common law context, but also under other legal systems. Readers will be guided through the various international contract formats governing construction, alongside applicable case law. Additionally, they will be shown the correct contract provisions and forms used to prevent disputes from escalating in order to reach successful conclusions without litigation. Including expert advice and many relevant reference materials, this book is an extremely helpful guide to legal practitioners and construction professionals.

Pressestimmen "It should not be thought of a book that is only to be taken to and used at a hearing in case it is needed. It should be read thoroughly in any preparatory phase as it provides a good survey of the law and practice key and so that the many additional references, e.g., in the foot notes, can be pursued. Humphrey Lloyd, *International Construction Law* [2011] ICLR 130 "Researchers will appreciate the extensive tables of cases and legislation, plus the sixteen appendices and detailed table of contents and index. Any practitioner involved in, or anticipating a career at the Construction Bar will no doubt regard this book as absolutely indispensable." - Phillip Taylor MBE and Elizabeth Taylor, Richmond Green Chambers, United Kingdom

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