

BUILDING AND CONSTRUCTION LAW JOURNAL

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EDITORIAL

John Dorter327

ARTICLES

CHALLENGING SECURITY OF PAYMENT ADJUDICATIONS AFTER BRODYN

Owen Hayford

The New South Wales Court of Appeal decision in Brodyn has significantly restricted the ability of principals to seek judicial review of an adjudicator's determination under the *Building and Construction Industry Security of Payment Act 1999* (NSW) and, in so doing, reinforces the significant shift in the power balance during the administration of construction contracts effected by the Act. However, the decision gives rise to a number of new questions which require consideration.....328

CORPORATIONS ACTING HONESTLY: CAN THEY BE GUILTY OF MISLEADING AND DECEPTIVE CONDUCT?

Paul Holmes

The extensive nature of the prescribed conduct contained in s 52 of the *Trade Practices Act 1974* (Cth) means that corporations should be aware that acting reasonably and honestly may not prevent them from being guilty of misleading and deceptive conduct in contravention of the Act. This article will look at this concept in relation to the case of *Butcher v Lachlan Elder Realty* (2004) 79 ALJR 308.....353

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