

# BUILDING AND CONSTRUCTION LAW JOURNAL

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## ARTICLES

### **Standard form construction contracts in Australia: Are our reinvented wheels carrying us forward? – *Matthew Bell***

This article reviews the range of standard form construction contracts which are currently in common use in Australia, including their history and key features (with a particular focus upon the recently-released ABIC MW-2008 form) and recent treatment in the courts. In doing so, it seeks to reflect upon the purpose and utility of standard forms, as well as what their role may be in a future which promises ever-increasing complexity in the law, commerce and practice of the industry. ....	79
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### **The enforceability of agreements to negotiate in major construction projects – *Trevor Thomas***

The enforceability of agreements to negotiate continues to be a problematic area of the law. Given their recurrent use in major construction projects, it is important to be aware of the arguments for and against whether such arrangements are binding. This article explores these issues considering, in particular, whether agreements to negotiate are inherently uncertain or lacking in valuable consideration. ....	94
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### **Survival of rights and obligations following termination – *Nicholas Tsirogiannis***

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