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Update Summary

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COMMERCIAL ARBITRATION

LAW AND PRACTICE

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UPDATE SUMMARY

Damien Cremean has provided new commentary to Building and Construction Contracts (Security of Payments) Act 2004 (NT), highlights of which include the following:

- New and updated commentary on purpose of the act — [SOPNT1.105]
- New commentary on payment claim matters — [SOPNT1.155]
- Updated commentary on prevention of contracting out — [SOPNT1.170A]
- Updated commentary on the adjudicator's determination — [SOPNT1.215]
- New commentary on requirement of an adjudicator to give reasons as laid out in the act — [SOPNT 1.247]

Vikram Misra has provided new commentary to Building and Construction Industry Security of Payment Act 1999 (NSW), highlights of which include the following:

- Chapter has been reviewed overall for currency
- New and updated commentary on the statutory function of an adjudicator — [SOP22.10]
- New and updated commentary on requirement of an adjudicator to “consider” the provisions of the Act — [SOP22.50]
- New annotation on *EnerMech Pty Ltd v Acciona Infrastructure Projects Australia Pty Ltd* [2024] NSWCA 162 — [SOP22.450]
- New annotations on the constitutional validity of s 25(4)(i) - (iii) – New South Wales Act — [SOP25.70]
- New and updated commentary regarding not raising any defence in relation to matters arising under the construction — [SOP25.460]
- New commentary on severance — [SOP25.510]