

## FOREWORD

It is now fifteen years since the Housing Grants Construction and Regeneration Act 1996 came into force and introduced statutorily backed adjudication and minimum payment conditions in construction contracts. From the first court decision in the United Kingdom, the *Macob* case, the courts have had to deal on a regular and frequent basis with challenges to the enforceability of adjudicators' decisions on numerous grounds. Some 15 per cent of the business in the High Court in the Technology and Construction Court is concerned with adjudication related disputes.

It is high time that the reported cases were brought together in a book such as this. The particular feature of this book is that each relevant topic is discussed but is thereafter supported by extracts from the key cases and by chronological tables of all relevant cases on the particular topic (with a brief summary of the point of interest against each). This will be of particular use to both legal and other professional practitioners not only in the court process but equally or more importantly in the drafting of contracts and during the adjudication process itself. To have a brief description of the relevant cases will be most helpful in circumstances in which the reported cases are found in a wide range of publications and websites. This will enable users of the book to understand what the case is about and what propositions the particular judgment does or does not address before having to trawl through a large number of authorities seeking to find the relevant part of the relevant authority.

The book considers in a logical way the 1996 Act and the later amendments introduced by the Local Democracy, Economic Development and Construction Act 2009 and reviews the statutory basis for adjudication in construction contracts before moving on to consider the effect, enforcement, and enforceability of adjudicators' decisions in the courts followed by a review of the provisions and cases which address payment and withholding of payment under construction contracts. There is now, after fifteen years of judicial decisions, virtually no part of the 1996 Act which has not been considered by the courts.

This book should appeal to solicitors, barristers, claims consultants, construction professionals, and not least to adjudicators. I very much hope that it will also find a permanent place on even judges' shelves.

The Honourable Mr Justice Akenhead  
Judge in Charge of the Technology and Construction Court  
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