

COMPANY & SECURITIES LAW BULLETIN

In this issue

Headnotes

- page 67** *Asphalt Supply Co Ltd v Cole John Ltd*
[2021] NZHC 1257
Contract and Commercial Law Act 2017, ss 12 and 18 – contract law – breach of warranty – construction contract – defective work – quantification of loss – set-off
- page 68** *George Grant Engineering Ltd v Fabrication & Pipe Services Ltd*
[2021] NZHC 1281
Summary judgment – contract law – breach of an implied term – exclusion clause – incorporation of terms – law of tort – negligence
- page 70** *Arnerich v DHC Assets Ltd*
[2021] NZCA 225
Companies – Companies Act 1993, ss 131 and 301 – directors – directors' duties – best interests – good faith – subjective belief – distribution by trustee company to beneficiaries in breach of duty – claim by a creditor for breach of duty owed to the company – trading trusts – claims under construction contracts discretion to decrease award – lien held by trustee
- page 73** *Settlers Honey Ltd v First Honey NZ Ltd*
[2021] NZHC 1576
Freezing order – ancillary order for disclosure of information – dissipation of assets – good arguable case – real confidence – potential prejudice or hardship – freezing order should no longer continue

Issue 7
August 2021
pp 67-76

Editorial Board
Thomas Gibbons
Tom Pasley
Peter Watts

Editor
Sarah Jamieson