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## LexisNexis News

*Did you know that our LexisNexis training webinars are complimentary and most are CPD compliant?*

### **CaseBase & LexCite on Lexis Advance Webinar – Wednesday, 23rd of February at 11am**

Have a look under the hood to get more understanding of how CaseBase and LexCite work on Lexis Advance. Understand the sources they draw their information from and how they can aid your legal research and save you time. Duration: 60 min

### **Lexis Advance for Barristers Webinar – Thursday, 24th of February at 4pm**

Improve your research skills and save time using Lexis Advance. In our Bar-focused training session you will learn how to customise your publications; filter your search results; link to your favourite publications; highlight relevant sections of text and make annotations; and create your own work folders and alerts to organise your research results and stay up to date with the latest content. Duration: 60 min

### **Getting Started with Lexis Advance Webinar – Thursday, 3rd of March at 4pm**

In this session we will provide an orientation to Lexis Advance. Learn to harness the power of the Lexis Advance search engine to find case law, legislation, commentary, forms & precedents and practical guidance on different areas of law. This session will enable you to find what you need quickly and save time. Duration: 60 min

### **Using Practical Guidance on Lexis Advance Webinar – Friday, 11<sup>th</sup> of March at 11am**

This session will look at how Practical Guidance operates as a standalone module and as a partner to the research you may run on Lexis Advance. In Practical Guidance you can find guidance written by experts in different areas of law that lead you to the relevant cases and legislation, forms, checklists and precedents as well as extracts from the key text Lexis publishes in that area. Focus on understanding the use and benefits of Practical Guidance modules for your everyday research. Duration: 45 min

## Commercial

### Textbooks

#### ***Directors' Powers and Duties, 3rd edition***

Peter Watts QC

RRP\*incl GST: \$200.00

ISBN: 9781988546841 (book)

ISBN: 9781988546858 (ebook)

Publication date: 27 December 2021

#### ***Burrows, Finn & Todd on the Law of Contract in New Zealand, 7th edition***

Stephen Todd & Matthew Barber

RRP\*incl GST: ~~\$200.00~~ \$180.00 (pre-order price)

ISBN: 9781988546704 (book)

ISBN: 9781988546711 (ebook)

Publication date: April 2022

## Criminal

### Textbooks

#### ***Criminal Law in Aotearoa New Zealand***

Julia Tomie, Kris Gledhill, Fleur Te Aho & Khylee Quince

RRP\*incl GST: \$175.00

ISBN: 9781927248225 (book)

ISBN: 9781927248553 (ebook)

Publication date: 31 January 2022

## **Employment**

### **Mazengarb's Employment Law**

Service 266 is now available online.

Updates to the Employment Relations Act 2000 have been made in Part 1: Key provisions; Part 2: Preliminary provisions; Part 5: Collective bargaining; Part 6: Individual employees' terms and conditions of employment; Part 6A: Flexible working; Part 9: Personal grievances, disputes and enforcement; Part 9A: Additional provisions relating to enforcement standards. Updates have also been made to Selected Topic: Contractual Aspect of Employment; Selected Topic: Pay equity; Minimum Wage Act 1983; Wages Protection Act 1983; Parental Leave and Employment Protection Act 1987; Human Rights Act 1993; Accident Compensation Act 2000; and the Health and Safety at Work Act 2015.

### **Personal Grievances**

Service 87 is now available online.

Updates have been made to Chapter 3: Unjustifiable dismissal; Chapter 4: Procedural fairness; Chapter 5: Grounds for dismissal; Chapter 7: Unjustifiable disadvantageous action; Chapter 8: Discrimination; Chapter 9: Sexual and racial harassment; and Chapter 11: Remedies.

### **Textbooks**

#### ***Employment Law in Aotearoa New Zealand, 3rd edition***

Gordon Anderson & Dawn Duncan

RRP\*incl GST: \$150.00

ISBN: 9781988546582 (book)

ISBN: 9781988546599 (ebook)

Publication date: 17 December 2021

## Family

### Practical Guidance: Family

Latest legal updates

When guardians cannot agree whether to vaccinate children

Five-year family trust court battle of the Prestons finally over

### New Zealand Family Law Reports

Part 9 Volume 2021 is now available online.

*Re TN* – [2021] NZFLR 431

Enduring powers of attorney – Court’s jurisdiction – Whether donor is mentally incapable – Whether attorney should be authorised to execute will for and on behalf of donor – Distinction between mental incapacity for purposes of enduring power of attorney and lack of testamentary capacity – Donor not wholly competent to manage affairs and was “mentally incapable” for purposes of enduring power of attorney – Donor did not lack testamentary capacity – Protection of Personal Property Rights Act 1988, s 102.

*Panikkar v Sharma* – [2021] NZFLR 443

Relationship property – Proceedings – Powers of Court – Interlocutory applications – Order for sale – Applicant sought urgent order for sale of family home because of surge in market prices following COVID-19 lockdown – Interlocutory orders for sale should not be based on speculation in residential property market – Application refused.

*B W (2004) Ltd v Mlouk* – [2021] NZFLR 451

Relationship property – Notice of claim – Properties owned by companies – Claim of interest in company property – Shareholder and directors having no legal or beneficial interest in properties owned by company – Companies Act 1993, s 15 – Land Transfer Act 2017, s 142 – Property (Relationships) Act 1976, ss 2, 42 and 44.

*Wooldridge v Kumari* – [2021] NZFLR 461

Relationship property – Agreement to oust jurisdiction of New Zealand courts – Informal agreement – Implied ousting of New Zealand courts – Marriage of short duration – Periods of absence – Periods of absence not making marriage one of short duration – Unequal sharing – Equal sharing being repugnant to justice – Age differences – Future earning potential of parties – Value of family home as high proportion of relationship property – Marriage of limited duration – Periods of absence – Non-monetary contributions insufficient to offset unjust consequences of equal sharing – District Court Act 2016, ss 126, 127, 128, 129 and 130 – Evidence Act 2006, s 65 – Property (Relationships) Act 1976, ss 1N, 2E, 7A, 13, 14, 18 and 39 – High Court Rules 2016, rr 20.14 and 20.16.

## Procedure

### Textbooks

#### ***The Law of Costs in New Zealand***

David Bullock & Tim Mullins

RRP\*incl GST: ~~\$150.00~~ \$135.00 (pre-order price)

ISBN: 9781988546193

Publication Date: April 2022

#### ***Professional Responsibility in New Zealand, 2<sup>nd</sup> edition***

Matthew R S Palmer (editor)

RRP\*incl GST: ~~\$200.00~~ \$180.00 (pre-order price)

ISBN: 9781988546728

Publication Date: May 2022

## Property

### Textbooks

#### ***Planning Practice in New Zealand*, 2<sup>nd</sup> edition**

Caroline Miller & Lee Beattie (editors)

RRP\*incl GST: ~~\$125.00~~ \$112.50 (pre-order price)

ISBN: 9781988546742 (book)

ISBN: 9781988546759 (ebook)

Publication date: March 2022

### **New Zealand Conveyancing and Property Reports**

Part 7 Volume 22 is now available online.

*Lendlease Capital Services Pty Ltd v Arena Living Holdings Ltd* – (2021) 22 NZCPR 498

Sale of land – Vendor's warranties – Contractual requirement to give notice before claiming on warranties – Effectiveness of notice – Requirements of form and content of notice – Reasonable recipient of notice – Understanding of reasonable recipient of notice – Weathertight Homes Resolution Services Act 2006, ss 32 and 37.

*Reynolds (as trustees of the F & J Reynolds Trust) v Parklands Properties Ltd* – (2021) 22 NZCPR 516

Easements – Extinguishment – Change in use of land – Change in use only occurring once easements removed – Change in character of neighbourhood – Change in character anticipated when easements put in place – Change in planning rules – Changes in planning rules just facilitating earlier modifications – Compensation for removal of easement – Calculation of compensation – Value which parties acting reasonably would have agreed to – Willing buyer willing seller approach – Land Transfer Act 2017, s 245 – Property Law Act 1952, s 126G – Property Law Act 2007, ss 316 and 317.

*Seabrook v Draiocht Trust Partnership Ltd* — (2021) 22 NZCPR 550

Division of land — Order of sale and division of proceeds — Occupation rent — Property held by two trusts equally for estranged siblings — Property parents' former home — Daughter living in house with children — Whether order for sale necessary — Whether property should be sold — Effect of parents' wishes that daughter remain in property until grandson finished education — Hardship — Value of respective contributions — Whether trustees breached obligations to beneficiaries — Property Law Act 2007, ss 339, 342, 342(a), 324(b), 342(c) and 343 — Trustee Act 1956, s 68.

Trusts — Trustee — Removal of trustees — Breach of obligations — Sale of property — Two trusts owning equal shares in property for siblings — Property former home of deceased parents — Parents expressing wish that daughter stay in house until grandson finished education — Proposed dissolution of partnership of two trusts — Whether improper delegation by trustees — Whether proposed sale of property breach of trustee obligations — Failing to take wishes of settlors into account — Trustee Act 1956, s 68.

*Lu v Wila Development (Ormiston) LP* — (2021) 22 NZCPR 569

Caveats — Application to sustain — Caveat as purchaser under agreement for sale and purchase — No assignment without consent clause — Nominated purchaser — Unconsented nomination — Nomination ineffective — No equitable interest as purchaser — Sunset clause — Reasonable efforts to obtain title — Evidence of reasonable efforts.

Caveats — No-caveat clause — Entitlement to cancel contract for breach of no-caveat clause — Repudiation of contract — Court's discretion to remove caveat — Acceptance of repudiation by not seeking specific performance — Contract and Commercial Law Act 2017, ss 12, 17, 35, 36 and 42 — Land Transfer Act 2017, ss 138, 142 and 143 — Resource Management Act 1991, s 224.

## Trusts

### Textbooks

#### ***Garrow and Kelly Law of Trusts and Trustees, 8th edition***

Chris Kelly, Greg Kelly, Colette McKenzie & Kimberly Lawrence

RRP\*incl GST: ~~\$220.00~~ \$198.00 (pre-order price)

ISBN: 9781988546292 (book)

ISBN: 9781988546308 (ebook)

Publication date: March 2022

## Various

### Textbooks

#### ***Challenge and Change: Judging in Aotearoa New Zealand***

John Burrows and Jeremy Finn (editors)

RRP\*incl GST: ~~\$150.00~~ \$135.00 (pre-order price)

ISBN: 9781988546544 (book)

ISBN: 9781988546551 (ebook)

Publication date: March 2022

#### ***New Zealand Law Dictionary, 10<sup>th</sup> edition***

Peter Spiller (editor)

RRP\*incl GST: \$49.00

ISBN: 9781988546735 (book)

Publication date: 5 February 2022

***Questions and Answers: Public Law, 4<sup>th</sup> edition***

Nicholas Wood

RRP\*incl GST: ~~\$50.00~~ \$45.00 (pre-order price)

ISBN: 9781988546865 (book)

ISBN: 9781988546872 (ebook)

Publication date: March 2022

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