

## LexisNexis News

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

### **Lexis Advance for Barristers Webinar – Wednesday, 1st of June at 4pm**

Barristers, improve your research skills and save time using Lexis Advance. In this Bar-focused training session, we will look at adapting Lexis Advance tools to enable you to work in Advance in the way you want. We will review finding cases, using CaseBase, the New Zealand Law Reports series and Unreported Judgements; and how to find commentary on legislation using our legislation citator Lexcite. In addition, we will look the high-level commentary of 160 titles from the Laws of New Zealand as well as international content that may be in your subscription (eg: Halsbury's Laws or Australia; Halsbury's Law of England). Duration: 60 min

### **Getting Started with Lexis Advance Webinar – Wednesday, 8th of June at 1pm**

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 all different areas of law. This session will enable you to find what you need quickly and efficiently and organise your research effectively to save time. Duration: 60 min

### **Finding Commentary, Cases and Legislation on Lexis Advance Webinar – Tuesday, 14th of June at 12pm**

Attend this session to learn how to link directly to commentary and relevant cases on every section of legislation with LexCite. Having attended this session, you will better understand how CaseBase and LexCite work as case law and legislation citators, and benefit from your improved understanding of how to use CaseBase to review the case summary and access other cases that have a similar facts and argument. Duration: 60 min

## Commercial

### Textbooks

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

Stephen Todd & Matthew Barber

RRP\*incl GST: \$200.00

ISBN: 9781988546704 (book)

ISBN: 9781988546711 (ebook)

Publication date: 21 April 2022

#### ***Consumer Law in New Zealand, 3rd edition***

Kate Tokeley & Victoria Stace (editors)

RRP\*incl GST: ~~\$160.00~~ \$144.00 (pre-order price)

ISBN: 9781988546780 (book)

ISBN: 9781988546797 (ebook)

Publication date: August 2022

## Family

### **New Zealand Family Law Reports**

Part 17 Volume 2021 is now available online.

*Carroll v Chief Executive of the Southern District Health Board* – [2021] NZFLR 807

Mental health – Compulsory treatment orders – Review of condition by Judge – District Court Judge made orders releasing patient from compulsory status – Inpatient orders thereafter made by purported consent – Court had no jurisdiction to make inpatient order having regard to District Court Judge's orders – Patient challenged stay at hospital pursuant to inpatient order made without jurisdiction – High Court exercised inherent jurisdiction to revoke inpatient order – Patient applied for writ of habeas corpus alleging unlawful detention pursuant to inpatient order made without jurisdiction – Writ refused – Mental Health (Compulsory Assessment and Treatment) Act 1992, ss 14, 16, 30 and 84 – Habeas Corpus Act 2001, s 14.

*N v K – [2021] NZFLR 816*

Family violence – Protection orders – Burden of proof – “Necessary” – Instances of family violence – Pattern of violent behaviour – Not necessary to prove that specific instances of family violence occurred – Care of Children Act 2004, ss 5, 5A and 132 – Domestic Violence Act 1995, s 85 – Evidence Act 2006, ss 4, 18 and 92 – Family Court Act 1980, s 12A – Family Violence Act 2018, ss 9, 10, 11, 79, 83 and 171.

*Brkic (as trustees of the Madeg Trust) v White (as trustees of the Awhitu Trust) – [2021] NZFLR 840*

Trusts – Trustees – Land – Charging order – Sale order – Orders against trust land set aside in High Court – Personal debt of trustee – Whether trustee/settlor owning land in personal capacity – Whether extensive powers accorded to settlor tantamount to ownership of land – Clayton v Clayton – No self-benefit clause – Whether trust defeasible or objective nullity – Trustee power of revocation.

## **Procedure**

### **Textbooks**

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

David Bullock & Tim Mullins

RRP\*incl GST: \$150.00

ISBN: 9781988546193

ISBN: 9781988546209 (ebook)

Publication Date: 20 April 2022

#### ***The Aotearoa New Zealand Legal System: Structures & Processes, 7<sup>th</sup> edition***

Jacinta Ruru, Paul Scott & Duncan Webb

RRP inc GST: ~~\$100.00~~ \$90.00 (pre-order price)

ISBN: 9781988546650 (book)

ISBN: 9781988546667 (ebook)

Publication date: June 2022

## ***Law of Societies in New Zealand, 4<sup>th</sup> edition***

Mark von Dadelszen

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

ISBN: 9781988546476 (book)

ISBN: 9781988546483 (ebook)

Publication date: September 2022

## **Property**

### **Conveyancing Bulletin**

Volume 20 issue 3 is now available online.

This issue includes comment on key recent cases in the areas of easements, covenants, caveats, co-ownership, landlord and tenant, mortgages, trespass and unit titles.

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

Part 11 Volume 22 is now available online.

*Harvey v Real Estate Agents Authority – (2021) 22 NZCPR 830*

Real estate agents – Duties of real estate agents – Obligation to recommend client obtain legal advice – Not sufficient to rely on written declaration that client had opportunity to obtain legal advice – Obligation to record instructions in writing – Real Estate Agents Act 2008, s 116 – Real Estate Agents Act (Professional Conduct and Client Care) Rules 2012, rr 5.1, 5.1.1, 6.1, 6.4, 9.6, 9.7, 10.7 and 10.8.

*Een v Body Corporate 384911 – (2021) 22 NZCPR 844*

Unit titles – Body corporate – Hotel – Hotel security – Body corporate resolution – Resolution unjust or inequitable for minority – Resolution to exclusive benefit of majority – Minority subsidising costs for hotel operators – Unit Titles Act 2010, s 210.

*Calian v Cassidy* – (2021) 22 NZCPR 852

Division of land – Order of sale and division of proceeds – Longstanding relationship property dispute – Property sold in accordance with Court order – Determination of division of proceeds – Equal shares held in property – Mortgage debt – Maintenance – Occupational rent – Tenants – Costs of sale – Legal costs – Unnecessary proceedings – Indemnity costs – High Court Rules 2016, part 17 – Property Law Act 2007, ss 339, 339(1), 339(4), 342 and 343 – Property (Relationships) Act 1976.

*Auckland Council v Analie Properties Ltd* – (2022) 22 NZCPR 872

Caveats – Caveatable interest – Constructive trust – Costs of development and maintenance of land – In personam claim – No equitable interest in land – Use of words in correspondence by lay people – Covenants – Removal of covenants – No person injured by removal – Removal of covenants to increase amenity – Declaration – No actual dispute before court – Land Transfer Act 2017, ss 51, 52, 53, 54, 55, 56 and 142 – Property Law Act 2007, ss 4, 316 and 317.

*Hua Xiang Homes Ltd v DDL Homes Ormiston Ltd* – (2022) 22 NZCPR 902

Caveats – Application to lodge second caveat – Without notice basis – Subdivision – Sale and purchase agreements of lots in subdivision – Purported cancellation of agreements by vendor – Delays in issuing of titles – Increase in costs – Purchasers' equitable interest in lots – Purchasers missing deadline of application to sustain caveat by one day – Misunderstanding as to date notice received – Subdivision Land Transfer Act 2017, ss 143(1)(b), 146 and 148 – Resource Management Act 1991, s 225(1)

## **Textbooks**

***Student Companion: Land Law, 6<sup>th</sup> edition***

Monique van Alphen Fyfe

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

ISBN: 9781988546803 (book)

ISBN: 9781988546810 (ebook)

Publication date: May 2022

## Various

### Textbook

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

John Burrows and Jeremy Finn (editors)

RRP\*incl GST: \$150.00

ISBN: 9781988546544 (book)

ISBN: 9781988546551(ebook)

Publication date: 9 May 2022

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