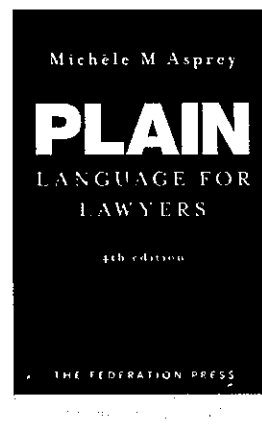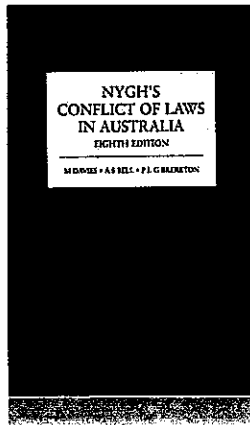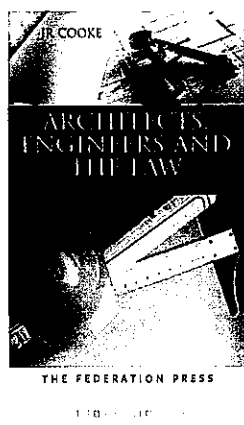# INPRINT

This month's reviews cover the law of options, construction law, conflict of laws and plain language for lawyers.

The Law of Options and Other Pre-emptive Rights

Donald J Farrands, *The Law of Options and Other Pre-emptive Rights*, 2010, Thomson Reuters, hb $179.

This book is the sequel to Farrands' *The Law of Options* (1992). However, rather than being merely an updated edition, it is an expansion on the previous work, covering the law on pre-emptive rights generally. One thing to note is that the book does not directly deal with the issues of stamp duty and taxation with respect to options, nor does it examine legislation relating to options over residential property.

The book purports to provide the status of the law on pre-emptive rights as at 1 November 2009. It refers to, and cites, a comprehensive list of cases that include a number of 2009 decisions, as well as recently published text.

The book is divided into nine short but concise chapters. The first deals with pre-emptive rights generally. The text then moves on to particulars of the nature of options (Chapter 2), the elements of an option (Chapter 3), exercising and assigning an option (Chapters 4 and 5), and remedies for breach of an option (Chapter 6). The remainder of the book focuses on other pre-emptive rights, such as first rights of refusal.

In the words of the author, the book "is principally directed at the legal practitioner",

rather than being "an excursion to academic activity". However, the author does provide useful academic commentary throughout the book – for example, regarding the debate as to whether an option is an irrevocable offer or a conditional contract (Chapter 2).

Though it is not a lengthy book, its usefulness should not be measured by its length. Rather, this reflects the concise manner in which the author has approached the imprecise subject matter.

The content is set out methodically and logically. The author expresses his views clearly and unreservedly, with directness and a practical approach I found most helpful. The book will be a valuable addition to any commercial practitioner's library.

DAVID KIM
BARRISTER

Architects, Engineers and the Law (4th edn)

J R Cooke, *Architects, Engineers and the Law* (4th edn), 2010, The Federation Press, pb $80.

There is much to like about this book. It was obviously written with care: the language is simple, there are many clarifying examples and it emphasises practical matters. The result is a brief but useful introduction to construction law and other areas relevant to architects and engineers.

Construction law texts face two difficulties. First, their audience is varied. This book is essentially directed at engineers and construction professionals, for whom it is an accessible and reliable guide. While the book is not suited to dedicated construction lawyers, other practitioners should find it provides a useful introduction to the field.

The chapters are short. Each chapter begins with background material and suggested further reading. The book is sensibly structured and the table of contents, headings and index guide the reader well.

The second difficulty for construction law texts is that even a simple project gives rise to varied legal issues: insurance, statutory compliance, dispute resolution and so on. The book tries to cover the life of a construction project, from planning (oddly, the subject of the final two chapters) to completion. It also raises assorted topics relevant to architects and engineers, such as employment and intellectual property law. This approach is ambitious and deserves praise. The result of this breadth, though, is that some central areas of construction law are given too little attention.

The otherwise good chapter on tendering barely considers tender process contracts. There is scant mention of building, domestic building contracts and security of payment legislation. Even the prevention principle goes without reference in the index. The book could not cover these areas in detail.