

PROTOCOLS FOR EXPERT CONFERRAL
UNDER THE HIGH COURT EARTHQUAKE LIST

- 1 Experts are to comply with schedule 4 of the High Court Rules.
- 2 The meeting of the experts shall be privileged. The privilege shall be in the nature of a "without prejudice" privilege, being a joint privilege; its waiver requiring a consent of all parties. No part of the experts' discussion should be referred to at trial unless all parties agree.
- 3 Prior to the experts conferring with each other:
 - a. The parties should discuss, and if possible agree whether an agenda is necessary, and if so attend to agree one that helps the experts to focus on the issues that need to be discussed;
 - b. Unless ordered by the Court or agreed by all parties and the experts, neither the parties nor their legal representatives may attend the experts' discussions;
 - c. If legal representatives attend then they shall not normally intervene except to answer questions put to them by the experts or to provide advice about the law;
 - d. The experts should establish mutually efficient arrangements proportional to the case. Discussion may be face to face, but the practicalities or the proportionality principle may require discussions to be by telephone or video conference;
 - e. The expert should provide their curriculum vitae to the parties;
 - f. The experts shall provide a description of testing and a statement of facts and assumptions upon which each expert's opinion is based;
 - g. Those instructing experts shall not instruct experts to avoid reaching agreement.
- 4 Experts are to jointly report:
 - a. Setting out a list of issues that have been agreed including in each instance the basis of the agreement;
 - b. A list of the issues that have not been agreed including in each instance the basis of disagreement;
 - c. A list of any further issues that have arisen that were not included in the original agenda for discussion;
 - d. A record of further action if any to be taken or recommended including as appropriately holding further discussions between experts, or the undertaking of further research or further testing.
 - e. Agreements between the experts during discussions do not bind the parties unless the parties expressly agree to be bound.
- 5 Experts are to jointly report to the court in the form attached.

Common Template: Repair/Rebuild Trade Summary

Section	Headings & Definitions	Interpretation notes for NZS4202:1995
*1	Preliminaries	site supervision, site facilities, site access, internal and external scaffolding
*2	Demolition	repair deconstruction works
*3	Excavation	site scrape, earthworks
*5	Piling	specialist engineered deep piling
*6	Concrete work *7 Sprayed concrete *4 Underpinning *9 Reinforcing Steel	foundation repairs including ground re-levelling specialists
*8	Precast concrete	on & off site panels, flooring systems, columns, beams & associated propping
*10	Structural steel	opening Linels, structural steel frames
*12	Brickwork	exterior and interior cladding including omaru stone
*13	Block work	foundations, integral retaining walls, tanking, external / internal wall construction
*14	Stone masonry	schist stone cladding
*15	Metal work	balustrades, metal stairs
*16	External windows and doors	include glazing, flashings and associated works, timber/aluminium/PVC
*17	Carpentry *18 Laminated timber *30 Plasterboard linings *31 Grid suspended ceilings *21 Insulating panel systems *20 Proprietary partitions	Structural timber beams, timber, framing, linings, internal trim, preparation for cladding systems (battens), door hardware supply & install, jack and pack work to timber floors
*19	Joinery	Kitchen, timber stairs, in built joinery, shelving, internal doors & skylights
*22	Roofing *11 Mastic asphalt and similar treatments	Roof cladding, guttering, downpipes & flashings, butynol roofing
*23	Plumbing and gas fitting	Including supply to capped services.
*24	Drainage	Including supply to capped services.
*25	Mechanical services / Heating & ventilation	Solar, heat pumps, fires, under floor heating
*26	Fire protection	Sprinklers
*27	Lifts and escalators	Plant and car supply & install
*28	Electrical services	Security systems, smoke alarms, switch boards, including mains supply connections, appliances including gas
*29	Solid plaster and Specialist exterior claddings	Plaster cladding systems, metal cladding (excludes substrate and painting)
*32	Tiling *33 Terrazzo work	To walls & floors including water proofing
*34	Floor coverings	Vinyl, Timber flooring & overlay's, glued carpet
*35	Painting paper hanging and Specialist finishes	Internal & external, textured ceilings/walls, water proof deck paint, garage floor paint
*36	Glazing	Mirrors, glass balustrades, glass shower screens, (excluding glazing to external windows/doors)
*37	Site works	fences, paths, drives, outdoor swimming pool, decks, non-integral retaining walls, carports
*38	Included sums for miscellaneous items	Indoor swimming pools, sauna, spa, detached garage
	Bidders margin	
	Documentation	Drawings & specifications, engineering, geotech, consent fees, CWI insurance