

## A Step Forward for Faulty Cladding Claims

The Education Minister has won again in its faulty cladding case against Carter Holt Harvey.

The New Zealand Supreme Court has this morning dismissed an appeal in *Carter Holt Harvey Limited v Minister of Education* [2016] NZSC 95.

The Supreme Court upheld the decisions of the first instance judge and Court of Appeal that a product liability claim against a cladding manufacturer is arguable and is not subject to the 10-year limitation period under the Building Act. This leaves open the ability to claim against a cladding manufacturer for negligent design and manufacture work that occurred more than ten years ago, and will be a significant boon for other claimants who have brought similar faulty cladding claims against Carter Holt and James Hardie.

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