

Editorial News

Infobank Changes

As of the October issue of the Review, we have agreed with our contributors to the Infobank section of the journal, Simmons & Simmons, that they will provide a column on Dispute Resolution. Dibb Lupton Broomhead will continue to provide coverage of developments in insolvency, intellectual property, information technology, local government and commercial property law.

In addition to the above columns, the usual Infobank information will be provided by the editors of the journal, who would welcome additional material of interest from our readers, particularly in the areas of employment law, competition and financial services.

Please contact the Editor on 01737 360090 or fax 01737 363399 if you would like to contribute.

Wool Proposals and Property and Construction

The Royal Institution of Chartered Surveyors believes that the Woolf Report backing for alternative dispute resolution (ADR) will enable property industry disputes to be settled quickly and informally.

The RICS spokesman said that mediation – the least formal and potentially quickest and cheapest method – has an impressive track record in the USA and that it has massive potential in the UK, particularly in commercial landlord and tenant disputes, boundary disputes and joint venture development schemes.

The RICS has a panel of trained mediators and adjudicators who can be appointed at short notice at the request of the disputing parties. Where there is a prior agreement to use ADR, either of the parties can call for its introduction.

The Woolf report follows several pieces of legislation promoting alternatives to court action. The Party Wall Act enables neighbours throughout England and Wales to settle disputes over work shared walls by a non-court procedure. The Housing Grants, Construction and Regeneration Act, which received Royal Assent on 24 July, provides for construction industry disputes to be settled by expert adjudication so that building work is not held up for long periods while parties battle it out in court or at formal arbitration.

The RICS Dispute Resolution Service appoints arbitrators, independent experts, adjudicators and mediators for all types of disputes concerning land, property and construction. It also operates a helpline for businesses concerned about rent reviews or lease renewals. For further information call 0171 334 3806 or 0171 222 7000.

Computers and the Year 2000

The year 2000 is looming and is likely to cause industry a very bad headache according to Robert Bond, Head of IT and Media Law Department at

solicitors Hobson Audley Hopkins and Wood. He has called on companies to examine their software licence and maintenance agreements to establish who is responsible for rectifying possible 2000 problems.

Mr Bond believes that companies should begin addressing the issue now and as an immediate action, any company or business using software for payroll, pension or any financial calculations or for compiling or accessing statistical data where times and dates are critical program elements, should ask the software supplier to warrant or guarantee that the system will run at and beyond the year 2000. He says that they should commence immediate rectification of any year 2000 errors at the supplier's expense and ensure that the rectified program meets mutually agreed acceptance test criteria well ahead of the end of 1999.

A recent survey of top corporate IT users by *Computer Weekly* published on 13 June, revealed that while nearly 60 per cent considers the year 2000 change an issue of major significance, only 28 per cent have gone beyond assessing their requirements and only 12 per cent are actually implementing change.

Robert Bond can be reached on 0171 450 4500.

New Campaign to Reduce Corporate Software Piracy

The Federation Against Software Theft (FAST) has announced the start of a new 'Corporate Awareness' campaign, which commenced on 22 July. FAST has teamed up with the DTI to focus on copyright compliance.

Over 35,000 managing directors of large and medium sized companies in the UK will receive an advisory leaflet from the DTI explaining the risks of software copyright infringement. This will be sent with a questionnaire from FAST and together these will clarify the responsibility of company directors in maintaining strict software control. Company officers can face up to 2 years imprisonment and unlimited fines if illegal software is found to be in use within their organisation. Previous high profile corporate prosecutions have shown that organisations suffer large financial losses and a significant loss of credibility.

With the support of the DTI, this campaign will target organisations with more than 50 PCs in use. For further information contact Carmel Brown at FAST on 01753 527999 and fast@fast.org.