



Victoria Government Gazette

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SPECIAL

Domestic Building Contracts and Tribunal Act 1995
DIRECTOR OF THE OFFICE OF FAIR TRADING AND BUSINESS AFFAIRS
Approved Form

The following form is hereby approved by the Director of the Office of Fair Trading and Business Affairs. This version of the form replaces the version published in the Victoria Government Gazette on 16 May 1995. The form must be included in major domestic building contracts in substantially the same form or to the same effect as follows:

FORM PURSUANT TO SECTION 31 (r)
CHECKLIST

Before Signing this Legally Binding Contract Check this List

- * Has an insurance policy or certificate of currency for builder's insurance been issued and provided to You? **YES or NO**
If not, the contract is conditional upon you receiving either an insurance policy or a certificate of currency for builder's insurance.
 - * If this contract is conditional upon the Building Owner receiving written approval for finance has the Building Owner obtained such approval? **YES or NO**
- If you answer "no" to any of the following questions you are not ready to sign the contract:
- * Has the Building Owner had this contract long enough to read and understand it? **YES or NO**
 - * Has the Building Owner been provided with evidence that the Builder named in this contract is registered with the Building Practitioners Board? **YES or NO**
 - * Are the price and progress payments clearly stated? **YES or NO**
 - * Does the Building Owner understand how the price is calculated and may be varied? **YES or NO**
 - * Has the Builder assessed the suitability of the site for the proposed works and if tests are necessary have they been carried out before signing the contract? **YES or NO**
 - * If a Deposit is payable, is it within the legal limit? **YES or NO**
The maximum under the **Domestic Building Contracts and Tribunal Act 1995** is:
 - (i) 10% if the Price is less than \$20,000; or
 - (ii) 5% if the Price is \$20,000 or more.
 - * Is the work shown and described clearly in the contract, plans or specifications and any other relevant documents such as engineering computations or soil report? **YES or NO**
 - * Are the Building Owner's special requirements or finishes included in the plans or specifications? **YES or NO**
 - * Are the commencement date and completion date clearly stated or capable of being ascertained? **YES or NO**
 - * Is the procedure for extensions of time understood? **YES or NO**
 - * Are any "provisional sums" or "prime cost items" clearly stated in the schedules and understood? **YES or NO**
 - * Is the procedure for variations of plans or specifications understood? **YES or NO**
 - * Do you understand the circumstances in which you can end the contract? **YES or NO**

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NOTE: This checklist does not form part of the contract.
Read, signed and dated by the Building Owner

Date / /19

MALCOLM WALTER
Director





Gazette Services

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