

Queensland



Subordinate Legislation 2000 No. 155

Domestic Building Contracts Act 2000

**DOMESTIC BUILDING CONTRACTS
REGULATION 2000**

TABLE OF PROVISIONS

| Section | Page |
|--|----------|
| 1 Short title | 2 |
| 2 Prescribed matters for Act, s 65(3)(b) | 2 |
| 3 Prescribed matters for Act, s 66(6)(b) | 3 |
| 4 Fees | 3 |
| SCHEDULE | 4 |
| FEEES | |

Short title

1. This regulation may be cited as the *Domestic Building Contracts Regulation 2000*.

Commencement

2. This regulation commences on 1 July 2000.

Prescribed matters for Act, s 65(3)(b)

2.(1) This section prescribes the way an agreement is to be made, and the requirements the agreement must satisfy, for section 65(3)(b)¹ of the Act.

(2) Before the agreement is made the building contractor must give the consumer a notice—

- pointing out that the Act generally prohibits a building contractor under a regulated contract from demanding or receiving an amount under the contract, other than a deposit, unless the amount is directly related to the progress of the subject work
- explaining why the prohibition is not applicable in the circumstances
- identifying the clause or other part of the contract setting out the payment terms.

(3) The building contractor must ensure that the consumer initials the clause or other part of the contract providing for a payment, other than a deposit, to be made that is not directly related to progress of the work.

(4) If there is more than 1 clause or part of the type mentioned in subsection (3), it is sufficient for the consumer to initial 1 of the clauses or parts.

¹ Section 65 (Progress payments for contracts other than designated stages contracts) of the Act

Prescribed matters for Act, s 66(6)(b)

3.(1) This section prescribes the way an agreement is to be made, and the requirements the agreement must satisfy, for section 66(6)(b)² of the Act.

(2) Before the agreement is made the contractor must give the consumer a notice—

- pointing out that the Act generally prohibits a building contractor under a designated stages contract from demanding or receiving progress payments that are more than the amounts set out in the Act
- advising the content of the relevant table in section 66(3), (4) or (5)
- explaining why the prohibition is not applicable in the circumstances
- identifying the clause or other part of the contract setting out the progress payments payable.

(3) The building contractor must ensure that the consumer initials the clause or other part of the contract setting out the progress payments payable.

(4) If there is more than 1 clause or part setting out the progress payments payable, it is sufficient for the consumer to initial 1 of the clauses or parts.

Fees

4. The fees payable under the Act are in the schedule.

² Section 66 (Progress payments for designated stages contracts) of the Act

SCHEDULE

FEEs

section 4

- | | | |
|----|---|------|
| | | \$ |
| 1. | Fee under section 100 of the Act for supplying a copy of a contract information statement | 2.00 |
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ENDNOTES

1. Made by the Governor in Council on 29 June 2000.
2. Notified in the gazette on 30 June 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Queensland Building Services Authority.