# Director of Consumer Affairs Victoria

# Approved Domestic Building Contracts Checklist

**Section 31(1)(r) of the *Domestic Building Contracts Act 1995***

This checklist must be included in major domestic building contracts entered into from 1 September 2016 in substantially the same form or to the same effect as follows.

**Before signing this legally binding contract, check this list:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| If the cost of the building work is more than $16,000, has an insurance policy or certificate of currency for domestic building insurance covering your project been issued and provided to you?  (Note: If not, the contract is conditional upon you receiving either an insurance policy or a certificate of currency for domestic building insurance.) | Yes |  | No |  |
| If this contract is conditional upon you receiving written approval for finance, have you obtained such approval? | Yes |  | No |  |
| Have you appointed a private building surveyor or has a municipal building surveyor been engaged?  (Note: If not, you will need to choose and engage a building surveyor before your building work starts so that a building permit can be issued for your building work.) | Yes |  | No |  |
| **If you answer ‘NO’ to any of the following questions that apply to your building project, you are not ready to sign the contract:\*** | | | | |
| Have you had this contract long enough to read and understand it? | Yes |  | No |  |
| Have you been provided with evidence that the builder named in this contract is registered with the Victorian Building Authority? | Yes |  | No |  |
| Are the price and progress payments clearly stated? | Yes |  | No |  |
| Do you understand how the price is calculated and may be varied? | Yes |  | No |  |
| Has the builder assessed the suitability of the site for the proposed works? If tests are necessary, have they been carried out? | Yes |  | No |  |
| If a deposit is payable, is it within the legal limit? The maximum under the *Domestic Building Contracts Act 1995* is:   1. 10% if the price is less than $20,000, or 2. 5% if the price is $20,000 or more. | Yes |  | No |  |
| Is the work shown and described clearly in the contract, plans and specifications and any other relevant documents (such as engineering computations or soil report)? | Yes |  | No |  |
| Are your special requirements or standards of finish included in the plans and specifications? | Yes |  | No |  |
| Are the commencement date and completion date clearly stated or capable of being worked out? | Yes |  | No |  |
| Do you understand the procedure for extensions of time? | Yes |  | No |  |
| Are any ‘provisional sums’ or ‘prime cost items’ clearly stated in the schedules and understood by you? | Yes |  | No |  |
| Do you understand the procedure for variations of plans and specifications? | Yes |  | No |  |
| Do you understand the circumstances in which you can end the contract? | Yes |  | No |  |
| Did your builder give you a copy of the Domestic Building Consumer Guide? | Yes |  | No |  |
| If yes, insert the date on which you were given a copy of this guide  dd/mm/yyyy |  | | | |
| Have you read the Domestic Building Consumer Guide and the related information at **consumer.vic.gov.au/buildingguide**? | Yes |  | No |  |

**This checklist does not form part of the contract.**

**I/we have read and completed this checklist:**

|  |  |
| --- | --- |
| Signature/s |  |
| Date  dd/mm/yyyy |  |

\* **Note**: Not all of these questions will apply to a domestic building contract that covers a limited scope of work, for example, a contract that is limited to the preparation of building plans and specifications.