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Update Summary

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BUILDING AND CONSTRUCTION CONTRACTS IN AUSTRALIA

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UPDATED COMMENTARY

Highlights include the following.

Contracts

- New annotation on General overview of the ascertainment of the terms – see [1.230]
- New commentary on Australian Consumer Law – see [1.660]

Defective works and design

- New and updated commentary on Defective and incomplete work – see [11.20]
- New and updated commentary on Design and Building Practitioners Act 2020 (NSW) – see [11.40]

Default and termination

- New and updated commentary on waiver – see [12.50]
- New and updated commentary on cl 44.2 Default by the contractor – see [12.110]
- New commentary regarding due expedition and without delay – see [12.115]

Security of Payment

- Updated commentary on scope of SOPANSW – see [SOPA.NSW.8.10]
- Updated commentary on the amount of progress payment – see [SOPA.NSW.9.10]
- New commentary on payment claim – see [SOPA.NSW.13.10]
- New commentary on payment schedules– see [SOPA.NSW.14.10]
- New commentary on adjudicator’s determination – see [SOPA.NSW.22.10]
- New commentary on Vic SOPA’s adjudicator’s determination – see [SOPA.VIC.23.20]
- New commentary on progress payments with regard to QLD – see SOPA [BIFA.QLD.61.20]
- New commentary on procedure for recovering progress payments – see [SOPA.SA.13.10]
- New commentary on consequences of not paying claimant in accordance with payment schedule – see [SOPA.SA.22.10]

Tenders

- Chapter has been reviewed overall for currency
- New commentary on restitutionary remedies – see [2.25]
- New commentary on downstream liability – see [2.340]

Time

- Chapter has been reviewed overall for currency
- Updated commentary on Time for Notification of claims – see [9.125]
- New commentary on extension of time for practical completion – see [9.295]
- New commentary on Delay analysis – Prospective v retrospective – see [9.300]

