

**Table. HIA NSW New Homes Contract provisions as amended by the Special Conditions**

Description of Provision	ABIC SW 2018 H Contract (NSW)	Amended HIA NSW New Homes
Definitions	Section S	Changed Clause 1.1
Security	Section C	New Clause 7A
Obligations of the Builder	Clause A2	New Clauses 2.2 and 2.3
Owner to appoint an Architect	Clause A4	New Clause 3A
Architect to administer Contract	Clause A6	New Clause 3B
Notices from the Architect	Clause A6.5	New Clause 23A
Architect's instruction	Clause A7	New Clause 3C
Disputing Architect's certificate or written decision	Clause A8	New Clause 3D
Disputing Architect's failure to act	Clause A9	New Clause 3E
Failure to give certificate, written decision or notice is not acceptance	Clause A10	New Clause 3F
Discrepancies or omissions in documents	Clause B1	New Clause 8.1
Order of precedence of documents	Clause B2	New Clause 8.2
Risk, Liability and Indemnity	Clauses D1 to D5	New Clause 36
Public liability insurance	Clause E1	New Clause 38
Contract works insurance	Clause E2	New Clause 38A
Entitlement to input tax credit	Clause E3	New Clause 38B
Insurance cover	Clause E4	New Clause 38C
Builder and Owner not to affect Insurance	Clause E6	New Clause 38D
Worker's Compensation and employer's liability insurances	Clause E7	New Clause 38E
Insurance claims	Clause E8	New Clause 38F
Payment of excess	Clause E9	New Clause 38G
Warranty insurance	Clause E11	New Clause 38H
Builder and Owner must supply copies of Official Documents	Clause B3	New Clause 8A
Variations	Section J	New Clause 18
Builder entitled to claim for Official Document	Clause J8	New Clause 18.19
The Building Site	Clauses F1 and F2	New Clause 13
Site Information and Latent Conditions	Clauses F3 to F7	New Clause 14
Testing	Clauses G7 and G8	New Clause 13A
Builder's Program	Clauses G5 and G6	New Clause 2B
Claims to adjust the contract (price and date for practical completion)	Section H	New Clause 16
Extensions of time (delays)	Section L (part)	Changed Clause 19
Practical Completion	Clauses M1 to M8	New Clause 21
Liquidated damages	Clauses M9 and M10	Changed Clause 32
Defective and Incomplete Building Work	Clauses M11 and M12	New Clauses 24.1 to 24.4

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Defects Liability Period	Clauses M13 and M14	New Clauses 24.5 to 24.8
Payment for the works	Section N	Changed Clause 17
Final Claim / Final Certificate	Clauses N10 to N15	Changed Clause 22
Interest on overdue amounts	Clause N15	New Clause 33
Continue to perform own obligations	Clause P1	New Clause 35.5
Legal rights	Clause P4	See Clause 35
Dispute Resolution	Section P	New Clauses 35.5 to 35.8
Termination: effect of the Owner ending the contract	Clauses Q1 to Q10 (part)	Changed Clause 30
Termination: effect of the Builder ending the contract	Clauses Q11 to Q18 (part)	New Clause 29
Owner may take possession of the Building Site	Clause Q3.3	New Clause 26
Assignment of Builder's rights	Clause Q4	New Clause 30.6
Change in relevant legislation	Clause R10	New Clause 23.5
Charge on the Site	N/A	Deleted Clause 31