

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

Description of Provision	ABIC SW 2018 H Contract (VIC)	Amended HIA VIC New Homes
Definitions	Section S	Changed Clause 1.0
Security	Section C	New Clause 6A
Obligations of the Builder	Clause A2	New Clauses 10.3 and 10.4
Owner to appoint an Architect	Clause A4	New Clause 11A
Architect to administer Contract	Clause A6	New Clause 11B
Notices from the Architect	Clause A6.5	New Clauses 6.0A to 6.0C
Architect's instruction	Clause A7	New Clause 11C
Disputing Architect's certificate or written decision	Clause A8	New Clause 11D
Disputing Architect's failure to act	Clause A9	New Clause 11E
Failure to give certificate, written decision or notice is not acceptance	Clause A10	New Clause 11F
Discrepancies or omissions in documents	Clause B1	New Clauses 16.1 and 16.2
Order of precedence of documents	Clause B2	New Clause 16.0
Risk, Liability and Indemnity	Clauses D1 to D5	New Clause 20
Public liability insurance	Clause E1	New Clause 20A
Contract works insurance	Clause E2	New Clause 20B
Entitlement to input tax credit	Clause E3	New Clause 20C
Insurance cover	Clause E4	New Clause 20D
Builder and Owner not to affect Insurance	Clause E6	New Clause 20E
Worker's Compensation and employer's liability insurances	Clause E7	New Clause 20F
Insurance claims	Clause E8	New Clause 20G
Payment of excess	Clause E9	New Clause 20H
Warranty insurance	Clause E11	New Clause 20I
Builder and Owner must supply copies of Official Documents	Clause B3	New Clause 20J
Variations	Section J	Changed Clauses 23.0 to 23.25
Builder entitled to claim for Official Document	Clause J8	New Clause 23.25
The Building Site	Clauses F1 and F2	New Clause 25
Site Information and Latent Conditions	Clauses F3 to F7	New Clause 26
Testing	Clauses G7 and G8	New Clause 28A
Builder's Program	Clauses G5 and G6	New Clause 20K
Claims to adjust the contract (price and date for practical completion)	Section H	New Clause 12
Extensions of time (delays)	Section L (part)	Changed Clause 34
Practical Completion	Clauses M1 to M8	Changed Clause 36

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Liquidated damages	Clauses M9 and M10	Changed Clause 38
Defective and Incomplete Building Work	Clauses M11 and M12	Changed Clause 37
Defects Liability Period	Clauses M13 and M14	Changed Clause 39
Payment for the works	Section N	New Clause 29 and Changed Clauses 30.0 to 30.21
Final Claim / Final Certificate	Clauses N10 to N15	New Clauses 30.11 to 30.21
Interest on overdue amounts	Clause N15	Changed Clause 31
Continue to perform own obligations	Clause P1	New Clause 49.0
Legal rights	Clause P4	N/A
Dispute Resolution	Section P	New Clauses 49.0 to 49.1
Termination: effect of the Owner ending the contract	Clauses Q1 to Q10 (part)	Changed Clause 43
Termination: effect of the Builder ending the contract	Clauses Q11 to Q18 (part)	See Clause 42
Owner may take possession of the Building Site	Clause Q3.3	See New Clause 36.13
Assignment of Builder's rights	Clause Q4	New Clause 43.6
Change in relevant legislation	Clause R10	New Clause 21.0A
Charge on the Site	N/A	N/A