

Pursuant to section 122 of the *Building Industry Fairness (Security of Payment) Act 2017* a subcontractor can claim a charge over money payable, including retention amounts, under the contract. The subcontractor must give this written notice to the person obliged to pay the money under the contract. The notice of claim may be given even if the work is not yet completed, or payment of the money is not yet due.

If the work has been completed this notice must be given within 3 months after practical completion for the work. If this notice is not given in compliance with sections 122 and 123 the notice is of no effect and the subcontractor's charge does not attach. Where a charge is over security the notice must be given in compliance with section 124.

This notice must be certified by a qualified person.

A qualified person for the purpose of certifying this notice may be anyone of the following (as defined in section 147 of the *Building Industry Fairness (Security of Payment) Act 2017*),

- An architect registered under the *Architects Act 2002*
- A registered professional engineer under the *Professional Engineers Act 2002*
- A QBCC Licensee who can carry out or supervise the type of work this claim relates to
- A quantity surveyor who is a member of the Australian Institute of Quantity Surveyors
- A person with expert knowledge of the work to which the claim relates and is accepted by both parties as a qualified person.

1. DETAILS OF CLAIMANT OF SUBCONTRACTOR SUBCONTRACT

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------|--|--|--|--|----------|--|--|--|-----|--------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Full name/ company name | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Postal address | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| State | | | | | Postcode | | | | | Mobile | | | | | | | | | | | | | | | | | | |
| Phone | | | | | | | | | Fax | | | | | | | | | | | | | | | | | | | |
| Email | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

2. DETAILS OF SUPERIOR CONTRACTOR BY WHOM MONEY IS CLAIMED AS PAYABLE

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------|--|--|--|--|----------|--|--|--|-----|--------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| Full name/ company name | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Postal address | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| State | | | | | Postcode | | | | | Mobile | | | | | | | | | | | | | | | | | | |
| Phone | | | | | | | | | Fax | | | | | | | | | | | | | | | | | | | |
| Email | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

3. DETAILS OF CONTRACT

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|-----------|---|---|---|-------|----------|----------|---|---|----------|---|---|---|---|---|---|---|--|--|--|--|--|--|--|
| Lot no | | | | | RP number | | | | | Plan no. | | | | | | | | | | | | | | | | | | |
| Street address (include no., street, suburb or locality) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | State | | | | | Postcode | | | | | | | | | | | | | | |
| Project description | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Start date | D | D | / | M | M | / | Y | Y | Y | Y | End date | D | D | / | M | M | / | Y | Y | Y | Y | | | | | | | |
| Amount of claim \$ | | | | | | | | | | | | | . | | | | | | | | | | | | | | | |

4. CERTIFICATION BY QUALIFIED PERSON

Full name

Postal address

State Postcode Mobile

Phone Fax

Email

Qualification to authorise certification

Declaration

I,

hereby certify that the details of the work and the amount of the claim stated by the claimant are, in my opinion, true and correct and can proceed pursuant to the provisions of the *Building Industry Fairness (Security of Payment) Act 2017*.

Signature of qualified person

Date / /

5. WITNESS CERTIFICATION

Full name of witness

Signature of witness

Date / /

Postal address

State Postcode Mobile