

Pursuant to section 122 of the *Building Industry Fairness (Security of Payment) Act 2017* (BIF Act) a subcontractor can claim a charge over money payable, including retention amounts, under the contract.

The subcontractor (claimant) must give this written notice to the person obliged to pay the money under the contract (the recipient). The notice of claim may be given even if the work is not yet completed, or payment of the money is not yet due by the contractor. This notice must be certified by a qualified person.

If the work has been completed this notice must be given within 3 months after practical completion for the work.

A copy of this notice must also be provided to the contractor and holder of a security (if applicable) in compliance with sections 123 and 124 of the BIF Act.

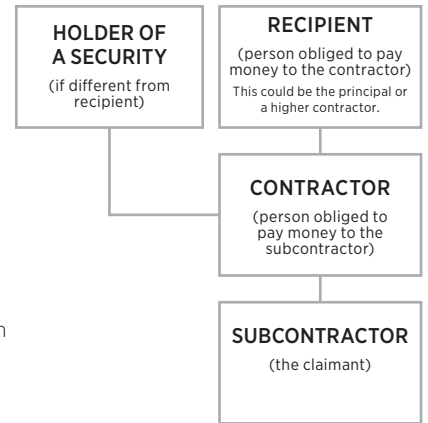
If the notice is not given in compliance with the BIF Act, the notice is of no effect and the subcontractor's charge does not attach.

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 BIF Act) -

- 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.

Parties involved in a subcontractors charge



SUBCONTRACTOR DETAILS (the claimant)

Full Name/ Company Name																									
QBCC Licence Number (if applicable)																									
ABN							ACN (if applicable)																		
Postal address																			State			Postcode			
Phone							Mobile																		
Email																									

RECIPIENT DETAILS (person obliged to pay money to the contractor)

Full Name/ Company Name																									
QBCC Licence Number (if applicable)																									
ABN							ACN (if applicable)																		
Postal address																			State			Postcode			
Phone							Mobile																		
Email																									

CONTRACTOR DETAILS (person obliged to pay money to the subcontractor)

Full Name/ Company Name																					
QBCC Licence Number (if applicable)																					
ABN								ACN (if applicable)													
Postal address																					
																State				Postcode	
Phone								Mobile													
Email																					

DETAILS OF HOLDER OF A SECURITY (if different from the recipient's details)

(if applicable)

Full Name/ Company Name																					
QBCC Licence Number (if applicable)																					
ABN								ACN (if applicable)													
Postal address																					
																State				Postcode	
Phone								Mobile													
Email																					

DETAILS OF WORK DONE BY THE SUBCONTRACTOR

Project Name																					
Site address																					
																State				Postcode	
Description of the work to which the claim relates																					

DETAILS OF AMOUNT CLAIMED

Amount of Claim

\$

Due Date for Payment / /

Is Work Complete? Yes No

Practical Completion Date (if applicable) / /

Is the Claim for Retention Amounts Only? Yes No

Date of End of Defect Liability Period / /

CERTIFICATION BY QUALIFIED PERSON

Full Name

Postal address

Phone

Email

Qualification to authorise certification

DECLARATION OF QUALIFIED PERSON

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 / /

WITNESS CERTIFICATION

Full Name

Signature of witness

Date / /

SUBCONTRACTOR DECLARATION

I hereby declare that the details of the work and the amount of claim is true and correct to the best of my knowledge.

Subcontractor's (the Claimant's) name

Signature of Subcontractor (the Claimant)

Date / /

THIS NOTICE MUST BE PROVIDED TO THE RECIPIENT, CONTRACTOR AND ANY SECURITY HOLDER.