

Subcontract and Commercial Building Contract Breaches

Part 4A of the *Queensland Building and Construction Commission Act 1991* (QBCC Act) govern contracts other than those for domestic building work. These requirements are that such contracts have to be written and contain certain basic information.

To take action for an offence QBCC requires some, or all, of the following documents:

- Contracts
- Invoices
- Plans and specifications
- Quotes
- Receipts
- Correspondence/emails from the contractor
- Advertising materials
- Statements from witnesses

Before completing the Notification of Offence form ensure:

- The contractual arrangement is either:
 - A subcontract that is a contract between two building contractors for one to perform work for the other
 - A contract between a developer and a contractor – other than a contract for domestic building work (usually commercial, industrial or high rise residential building work)
- The complaint relates to building work as defined by the QBCC Act
- The value of the building work is over \$3,300, or for hydraulic services design work over \$1,100 or the work relates to plumbing, drainage, gas fitting, building design, site classification, chemical termite management, completed residential building inspections or fire protection work of any value
- One or more of the following apply:
 - The contract is not evidenced in writing (e.g. a written contract or exchange of tender, offer and acceptance documents)
 - The contract does not contain details of the contractors, work, site and price

Where you are able to comply with all the above requirements you should complete and return (see Contact Us section for postal and office addresses) the Notification of Offence form with all supporting documents.

Do not send original documents - QBCC can not return documents. Any documents provided by you will be destroyed pursuant to Principal 7 - Information Standard 40.