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FTMIN15/571

### **Statement of Regulatory Intent – *Home Building Act 1989***

This is a Statement of Regulatory Intent regarding the requirement that licensed contractors must supply consumers with a copy of the 'Consumer Building Guide' as part of 'small jobs' contracts for residential building work worth more than \$5,000, and up to \$20,000 under the *Home Building Act 1989* (the Act) and Home Building Regulation 2014 (the Regulation).

This Statement of Regulatory Intent acknowledges that 'small jobs' contracts were not required to include a copy of the Consumer Building Guide prior to 1 March 2015. This new requirement was introduced by clause 6 of the Regulation.

As part of NSW Fair Trading's educational approach to the new contract requirements, Fair Trading will not penalise contractors who fail to provide the Consumer Building Guide as part of 'small jobs' contracts, or provide an old version of the Consumer Building Guide that is no longer current.

This approach is subject to the discretion of the authorised officer dealing with the relevant breach. Furthermore, the contractor must not have breached other requirements relating to contracting with consumers (e.g. if the contractor had requested that the consumer pay a deposit in excess of the prescribed limit of 10 per cent of the contract price).

**These arrangements will apply until 30 June 2015, or until amended or withdrawn.**

Fair Trading has published free template contracts which comply with the new requirements on our website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au). Template contracts are also available from a number of industry associations.

Rod Stowe  
Commissioner

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