

**LEGISLATIVE COUNCIL**

**BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT  
(AMENDMENT) BILL**

(Amendments to be proposed in Committee by the Honourable DAVID DAVIS)

1. Clause 11, page 10, lines 7 to 34, and page 11, lines 1 to 38, and page 12, lines 1 to 9, omit all words and expressions on these lines and insert—
  - " (a) the parties to the construction contract agree—
    - (i) that work has been carried out or that goods and services have been supplied; and
    - (ii) that the person for whom the work has been carried out or the goods or services supplied requested or directed the carrying out of that work or the supply of those goods and services; and
  - (b) the parties to the construction contract do not agree that the doing of the work or the supply of the goods or services constitutes a variation to the contract; and
  - (c) the parties do not agree as to one or more of the following—
    - (i) that the person who has undertaken to carry out the work or to supply the goods or services under the contract is entitled to a progress payment that includes an amount in respect of that work or those goods or services;
    - (ii) the value of that amount;
    - (iii) the method of valuing that amount;
    - (iv) the time for payment of that amount; and
  - (d) the contract does not provide a method for resolving the dispute referred to in paragraph (c). "
2. Clause 17, lines 9 to 13, omit all words and expressions on these lines and insert—

' amount.'!.