



Supporting Statement

Construction Contracts

Pursuant to section 13(7) of the *Building and Construction Industry Security of Payment Act 1999 (NSW)* (the Act) a supporting statement must accompany any payment claim served on a principal to a construction contract by a head contractor.

This form should be used by a head contractor who has a construction contract that is not an owner occupier construction contract. If the contract is an owner occupier construction contract the 'Supporting Statement - Owner Occupier Construction Contracts' form should be used instead.

For the purposes of this statement, the terms "principal", "head contractor", "subcontractor", "construction contract" and "owner occupier construction contract" have the meanings given in section 4 of the Act.

Head contractor (business name of head contractor):			
1. has entered into a contract with: (business name of subcontractor)			
ABN of subcontractor			
Contract number/identifier			
or			
2. has entered into a contract with the subcontractors listed in Schedule 1			
This statement applies to work between (start date)		and (end date)	
or			
This statement applies to work completed in Stage (number) of the construction contract			
Subject of the payment claim dated (date)			

Declaration

I, (full name)

being the head contractor, a director of the head contractor or a person authorised by the head contractor on whose behalf this declaration is made, hereby declare that to the best of my knowledge and belief all subcontractors, if any, have been paid all amounts that have become due and payable in relation to the construction work that is the subject of this payment claim.

These subcontractors and the amounts paid to them are identified in Schedule 1 on page 3.

It is an offence under section 13(7) of the Act for a head contractor to serve a payment claim on the principal, if it is not accompanied by a supporting statement that indicates that it relates to that payment claim. The maximum penalty is \$110,000 for corporations, and \$22,000 for an individual.

It is also an offence under the Act for a head contractor to serve a payment claim accompanied by a supporting statement knowing that the statement is false or misleading in a material particular in the particular circumstances. The maximum penalty is \$110,000 for corporations, and \$22,000 or 3 months imprisonment (or both) for individuals.

Full Name of Individual	
Position/Title	
Signature	
Date	

Schedule 1

List all subcontractors that have been paid all amounts that have become due and payable in relation to the construction work that is the subject of the payment claim which this supporting statement accompanies.

Name of subcontractor	ABN	Contract number/ identifier	Date of works (period or stage)	Date of subcontractor's payment claim