

AS 4000—1997  
(Incorporating Amendment Nos. 1, 2 & 3)

Australian Standard™

**General conditions of contract**

Internal Use Only



**STANDARDS  
AUSTRALIA**

This Australian Standard was prepared by Committee OB/3 – General Conditions of Contract. It was approved on behalf of the Council of Standards Australia on 25 July 1997 and published on 5 August 1997.

The following interests are represented on the Committee OB/3:

Association of Consulting Engineers Australia  
Australasian Railways Association  
Australian Chamber of Commerce and Industry  
Australian Procurement and Construction Council  
AUSTROADS  
Construction Industry Engineering Services Group  
Construction Policy Steering Committee  
Electricity Supply Association of Australia  
Institution of Engineers, Australia  
Institution of Professional Engineers, New Zealand  
Law Council of Australia  
Master Builders Australia  
National Construction Council / MTIA  
Process Engineers and Constructors Association  
Royal Australian Institute of Architects

This Standard was issued in draft form for comment as DR 96319.

Originated as part of AS CA24—1952.  
Previous edition AS 2124—1992.  
Revised and designated AS 4000—1997.  
Reissued incorporating Amendment No. 1 (August 1999),  
Amendment No. 2 (October 2000), and Amendment No. 3 (March 2005).

### **Keeping Standards up-to-date**

Standards are living documents which reflect progress in science, technology and systems. To maintain their currency, all Standards are periodically reviewed, and new editions are published. Between editions, amendments may be issued. Standards may also be withdrawn. It is important that readers assure themselves they are using a current Standard, which should include any amendments which may have been published since the Standard was purchased.

Detailed information about Standards can be found by visiting the Standards Web Shop at [www.standards.com.au](http://www.standards.com.au) and looking up the relevant Standard in the on-line catalogue.

Alternatively, the printed Catalogue provides information current at 1 January each year, and the monthly magazine, *The Global Standard*, has a full listing of revisions and amendments published each month.

Australian Standards<sup>TM</sup> and other products and services developed by Standards Australia are published and distributed under contract by SAI Global, which operates the Standards Web Shop.

We also welcome suggestions for improvement in our Standards, and especially encourage readers to notify us immediately of any apparent inaccuracies or ambiguities. Contact us via email at [mail@standards.org.au](mailto:mail@standards.org.au), or write to the Chief Executive, Standards Australia, GPO Box 5420, Sydney, NSW 2001.

ISBN 0 7337 1375 0

### **COPYRIGHT**

© Standards Australia

All rights are reserved. No part of this work may be reproduced or copied in any form or by any means, electronic or mechanical, including photocopying, without the written permission of the publisher.

Published by Standards Australia, GPO Box 5420, Sydney, NSW 2001, Australia

Internal Use Only

# AS 4000 — 1997

---

## General conditions of contract

Incorporating:  
Amdt 1—1999  
Amdt 2—2000  
Amdt 3—2005

Internal Use Only

## Preface

This Standard was prepared by the Joint Standards Australia/Standards New Zealand Committee OB/3, General Conditions of Contract.

*This Standard incorporates Amendment 1 (August 1999), Amendment 2 (October 2000), and Amendment 3 (March 2005). The changes required by the Amendments are indicated in the text by a marginal bar and amendment number against the clause, note, table, figure, or part thereof affected.*

This Standard is the result of a consensus among Australian and New Zealand representatives on the Joint Committee to produce it as an Australian Standard.

Subclauses 8.6 and 29.2 (prefixed by an asterisk) are optional, and may be omitted in the Contract, where necessary, without making consequential amendments but such omission should be clearly shown on the face of the document by striking out these subclauses or indicating clearly in clause 1 of Annexure Part B or elsewhere that they are *not to apply*. See paragraph (i) of clause 1 on page 5 for the effect of stating deletions in Annexure Part B.

### **Warning**

**Users of this Australian Standard are warned that clause 15 (Damage to persons and property other than work under the Contract ('WUC')) does not limit the liability of parties for special, indirect or consequential losses.**

**This unlimited liability applies notwithstanding any limitations or exclusions permitted under insurance clauses 16 (Insurance of the Works) and 17 (Public liability insurance).**

**Parties wishing to limit their liability should seek insurance and legal advice before entering a contract under this Standard.**

**Legislation has come into force in some jurisdictions dealing with security of payments. Parties intending to use this Standard should seek expert advice as to their rights and obligations under such legislation.**

A2

## Contents

Clause	Title	Page
1	Interpretation and construction of Contract	1
2	Nature of Contract	5
3	Provisional sums	6
4	Separable portions	7
5	Security	7
6	Evidence of Contract	8
7	Service of notices	9
8	Contract documents	9
9	Assignment and subcontracting	10
10	Intellectual property rights	11
11	Legislative requirements	12
12	Protection of people and property	12
13	Urgent protection	13
14	Care of the work and reinstatement of damage	13
15	Damage to persons and property other than WUC	14
16	Insurance of the Works	15
17	Public liability insurance	16
18	Insurance of employees	17
19	Inspection and provisions of insurance policies	17
20	Superintendent	18
21	Superintendent's Representative	19
22	Contractor's representative	19
23	Contractor's employees and subcontractors	19
24	Site	20
25	Latent conditions	21
26	Setting out the Works	21
27	Cleaning up	22

<b>Clause</b>	<b>Title</b>	<b>Page</b>
28	Materials, labour and construction plant	23
29	Quality	23
30	Examination and testing	24
31	Working hours	25
32	Programming	25
33	Suspension	26
34	Time and progress	27
35	Defects liability	29
36	Variations	29
37	Payment	30
38	Payment of workers and subcontractors	32
39	Default or insolvency	33
40	Termination by frustration	37
41	Notification of claims	37
42	Dispute resolution	38
43	Waiver of conditions	39
	Annexure Part A	41
	Annexure Part B	50
	Annexure Part C	51
	Index	53



SAI GLOBAL

This is a free 7 page sample. Access the full version online.

The remainder of this document  
is available for purchase online at

[www.saiglobal.com/shop](http://www.saiglobal.com/shop)

SAI Global also carries a wide range of publications from a wide variety of Standards Publishers:



SAI GLOBAL



Click on the logos to search the database online.