S53 – NOTICE OF APPOINTMENT, TERMINATION OR CHANGE OF SUPERINTENDENT’S REPRESENTATIVE

(Clause 21)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

[DELETE IF NOT REQUIRED] The Contractor is notified that [INSERT NAME OF FORMER REPRESENTATIVE WHO WILL NO LONGER BE A SUPERINTENDENT’S REPRESENTATIVE] is no longer appointed as Superintendent’s representative.

[DELETE IF NOT REQUIRED] The Contractor is notified that the following person:

|  |  |
| --- | --- |
| Name | [INSERT INDIVIDUAL REPRESENTATIVE’S FULL NAME] |
| Address | [INSERT REPRESENTATIVE’S ADDRESS] |
| Phone number(s) | [INSERT OFFICE AND MOBILE NUMBERS] |
| Email address | [INSERT EMAIL ADDRESS] |

has, as from this day, been appointed as Superintendent’s Representative under clause 21 and is delegated authority to exercise all functions of the Superintendent except for the functions described in the following clauses, which shall remain with the Superintendent only:

|  |
| --- |
| [LIST ANY POWERS WHICH THE SUPERINTENDENT'S REPRESENTATIVE IS NOT AUTHORISED TO EXERCISE. IF THE SUPERINTENDENT'S REPRESENTATIVE WILL CARRY OUT ALL FUNCTIONS, INSERT 'NO EXCLUDED FUNCTIONS']   * Provisional Sums: clause 3 * Discrepancies: clause 8.1 * Superintendent’s Representative: clause 21 * Key Personnel: clause 23A * Latent Conditions: clause 25 * Suspension: clause 33 * Extension of Time: subclause 34.5 * Delay costs: clause 34A * Issuing Certificate of Practical Completion: subclause 34.6 * Variations clause 36 * Certificates: subclause 37.2 * Final payment claim and certificate: subclause 37.4 * Termination by Frustration: clause 40 * Notification of claims: clause 41 * Dispute resolutions: clause 42 |

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| Signed by the Superintendent: |  |
|  |  |
| Signature |  |
|  |  |
| Name |  |
|  |  |
| Date |  |

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | A Superintendent’s Representative must always be an individual. See definition of Superintendent’s Representative in clause 1. |
| b) | Clause 21 precludes the appointment of more than one Superintendent’s Representative to exercise the same function under the Contract. |
| c) | Clause 21 also requires written notice to be given if and when this appointment is terminated. Use Form S53 to terminate an appointment. |
| d) | For further guidance see the notes to clause 21 in section 12.4 of Chapter 12 and to the notes on Superintendent’s Representative in Chapter 8 of HB140 – 2000. |
| e) | As to service of Form S53 refer to clause 7. |