P58 – NOTICE GIVING POSSESSION OF SITE

(Subclause 17)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

Pursuant to subclause 17 of the contract conditions, the Principal gives the Contractor possession of the portions of the site as follows:

|  |  |
| --- | --- |
| Portion of site | Date possession is available |
| [PROVIDE DETAILS OF THE PORTION(S) OF THE SITE OF WHICH POSSESSION IS GIVEN] | [INSERT DATE ON WHICH POSSESSION WILL BE AVAILABLE] |
| [PROVIDE DETAILS OF THE PORTION(S) OF THE SITE OF WHICH POSSESSION IS GIVEN] | [INSERT DATE ON WHICH POSSESSION WILL BE AVAILABLE] |

|  |  |
| --- | --- |
| 1. Signed by the Principal: |  |
|  |  |
| 1. Signature |  |
|  |  |
| 1. Name |  |
|  |  |
| 1. Date |  |

|  |  |
| --- | --- |
| [REMOVE BEFORE SENDING] Notes: | |
| a) | The Principal is required to give possession of so much of the site to enable the Contractor to commence WUC on site before the expiry of the time stated in clause 17. |
| b) | Delay in giving adequate possession up to the time stated in Item 10 will be a ground for an EOT. It will also usually be an act or omission of the Principal and therefore will be a compensable cause of delay entitling the Contractor to claim delay damages under clause 20.6. |
| c) | If the Principal does not initially give the Contractor possession of the whole site, the Principal must give possession of such further portions of the site as may, from time to time, be necessary for carrying out WUC. |
| d) | Delay in giving possession by the Principal by the time required by clause 17 means that both the Principal and the Contractor should notify the delay if WUC will be delayed (subclause 20.1). If the Contractor wishes to claim an EOT the Contractor must claim pursuant to subclause 20.2 and, if the Contractor wishes to claim delay damages under Clause 20.6, the Contractor must also give a notice under subclause 26.1. |
| e) | As to service of Form P58 refer to clause 4. |