S117 – NOTICE TO RECTIFY DEFECTS DURING DEFECTS LIABILITY PERIOD

(Clause 35)

DATE: [INSERT DATE OF NOTICE]

TO CONTRACTOR: [INSERT CONTRACTOR NAME]

PROJECT NAME: [INSERT PROJECT/CONTRACT NAME]

CONTRACT No.: [INSERT CONTRACT NUMBER]

The Contractor is directed to rectify the defects in the works identified in **Appendix 1** to this direction.

If a date for commencement of rectification is shown in Appendix 1, then the Contractor must commence rectification by that date. The Contractor must complete rectification of the defects by the date shown in Appendix 1.

If the rectification is not commenced or completed by the relevant dates, the Principal will, without prejudice to the Principal’s other rights and remedies under the Contract, have the rectification carried out by others at the Contractor’s cost.

In respect of rectification work, a separate defects liability period shall commence at 4pm on the date rectification is completed and shall apply for the period (if any) shown in Appendix 1.

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| Signed by the Superintendent: | |
|  |  |
| Signature |  |
|  |  |
| Name |  |
|  |  |
| Date |  |
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| [REMOVE BEFORE SENDING] Notes: | |
| a) | A second notice under clause 35 is not needed if the Contractor fails to comply with this notice. |
| b) | This notice must be given before the end of the defects liability period stated in Annexure Part A in the Contract. |
| c) | A completion date must always be specified otherwise the notice will be invalid. |
| d) | As to service of Form S117, refer to clause 7. |

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| **Defect No.** | **Work or materials** | **Details of Defect** | **Date for commencement of rectification** | **Date for completion of rectification** | **Separate Defects liability shall apply of:** |
| [INSERT NO. EASE OF REFERENCE] | [IDENTIFY THE SECTION OR ITEM OF WORK OR MATERIALS WHICH DO NOT COMPLY WITH THE CONTRACT] | [PROVIDE FULL PARTICULARS OF DEFECTS AND ATTACH FURTHER INFORMATION OR DOCUMENTS (SUCH AS PHOTOGRAPHS) IF NECESSARY] | [INSERT COMMENCEMENT DATE] | [INSERT COMPLETION DATE] | [INSERT LENGTH OF SEPARATE DEFECTS LIABILITY PERIOD OR INSERT ‘NOT APPLICABLE’] |
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