

Statutory residential building warranties and defects insurance in Australia

	NSW	QLD	VIC	SA	WA	ACT	TAS
Statutory warranties applicable to homes?	Yes	Yes	Yes	Yes	No	Yes	Yes
Statutory warranties extend to apartments (>3 storeys)?	Yes	No	Yes	Yes	No	Yes	No
Time limits?	<p>6 years from completion - for *major defects.</p> <p>2 years from completion - for non-major* defects</p> <p>Additional 6 months if defect discovered within last 6 months.</p>	<p>6 years from completion - for structural defects.</p> <p>1 year from completion - for non-structural defects.</p> <p>Additional 6 months if defect discovered within last 6 months.</p>	<p>10 years from completion.</p>	<p>5 years from completion.</p>	N/A	<p>6 years from completion - for structural defects.</p> <p>2 years from completion - for non-structural defects.</p>	<p>6 years from practical completion.</p>
Statutory warranties deemed provided by, and to whom?	<p>Builder to developer.</p> <p>Developer to purchasers and subsequent owners.</p>	<p>Builder to developer and subsequent owners.</p>	<p>Builder to developer and subsequent owners.</p>	<p>Builder to developer and subsequent owners.</p>	N/A	<p>Builder to developer and subsequent owners.</p>	<p>Builder to developer and subsequent owners.</p>
Statutory warranties	<ul style="list-style-type: none"> Work carried out with due care and skill. In accordance with plans and specifications. Good and suitable materials. Works will comply with all laws. Work to be completed with due diligence and on-time (or reasonable time if none specified). Fit for occupation. Fit for purpose. 	<ul style="list-style-type: none"> Work carried out with reasonable care and skill. Work will be carried out in an appropriate and skilful way. In accordance with plans and specifications. Good and suitable materials. New unless otherwise specified. Works will comply with all laws. 	<ul style="list-style-type: none"> Work carried out with reasonable care and skill. Work carried out in proper and workmanlike manner. In accordance with plans and specifications. Good and suitable materials. New unless otherwise specified. Works will comply with all laws. Work to be completed by the date or period 	<ul style="list-style-type: none"> Work performed in proper manner to accepted trade standards. In accordance with plans and specifications. Good and proper materials. Works will be performed with all statutory requirements. If no period specified in contract, Work to be performed with reasonable diligence. 	N/A	<ul style="list-style-type: none"> Work will be performed in proper and skilful way. In accordance with the approved plans. If work involves asbestos, will be performed in accordance with compliant asbestos management plans. Good and proper materials. If no period specified in contract, Work to be carried out with reasonable promptness. 	<ul style="list-style-type: none"> Work carried out with reasonable care and skill. Work will be carried out in an appropriate and skilful way. In accordance with plans and specifications. Good and suitable materials. New unless otherwise specified. Works will comply with all laws.

		<ul style="list-style-type: none"> • Work to be completed with reasonable diligence. • Fit for occupation. 	specified in the contract. <ul style="list-style-type: none"> • Fit for occupation. • Fit for purpose. 	<ul style="list-style-type: none"> • If a house, will be reasonably fit for human habitation. • Fit for purpose. 		<ul style="list-style-type: none"> • Works will be performed with the Building Act 2004 (ACT). • Fit for purpose. 	<ul style="list-style-type: none"> • Work to be completed with reasonable diligence. • Fit for occupation.
Defect warranty insurance applicable to homes?	Yes	Yes	Yes	Yes	Yes	Yes	No
First resort or last resort policy?	Last resort	First resort	Last resort	Last resort	Last resort	Last resort	N/A
Defect warranty insurance applicable to units (>3 storey)?	No	No	No	No – Subject to a notice being given to the developer in a prescribed form.	No	No	No
Other State consumer protection for unit owners?	2% strata building bond scheme	No	No	No	No	No	No