

NZS 3902:2004 Housing, alterations and small buildings contract

Questions and answers on the new electronic Contract Agreement form

NZS 3902 provides a standard form of building contract suitable for owners who are making their own building arrangements.

Written in 'plain English', this standard was developed by a committee with a broad and balanced representation of stakeholder interests including regulators, industry, and consumer advocates. It is intended to be a fair and clearly understood contract that sets out rights and responsibilities for all parties.

We have just released a new electronic Contract Agreement form that comes with the standard.

Q: What is the new electronic form?

A: The Section 3 (Contract Agreement) form of NZS 3902:2004 has been updated and converted into a Microsoft Word form. Previously it was only available in printed hard copy or PDF that were both unable to be edited.

The Contract Agreement in electronic form comes free with each new purchase of NZS 3902, and should be used in place of the existing Section 3.

Q: Why has Section 3 been updated?

A: The Building Amendment Act 2013 introduced changes to enhance consumer rights and remedies for residential building work, including mandatory requirements for residential building contracts to be in writing and to contain certain information. These changes come into effect from 1 January 2015.

Using NZS 3902 will help you give effect to these amendments to the Building Act 2004.

The new Contract Agreement in electronic form, used in place of the existing Section 3 form, allows the standard to comply fully with these changes without modification.

Q: Has NZS 3902:2004 been updated in full?

A: No, NZS 3902 has not been amended or revised. The new electronic form replaces the Section 3 Contract Agreement form only.

Q: What has changed from Section 3 of NZS 3902:2004?

A: The form contains all of the information in Section 3, and includes additional information required to comply with the requirements of the Building Amendment Act 2013 issued under the Building Act 2004.

Q: Can the form be used by itself?

A: No, the Contract Agreement must be used in conjunction with NZS 3902.

Q: Where can I find more information on the new requirements?

A: The Ministry of Business, Innovation and Employment's website provides further information on the changes arising from the Building Amendment Act 2013, including the new consumer protection measures that have impacted on NZS 3902.

See: <http://www.dbh.govt.nz/building-amendment-act-2013>

Q: Do I need to obtain advice?

A: Review by professional contract specialists or a lawyer is always recommended so that there is a good understanding by both parties of the contractual arrangements and the risk profile set out by the standard.

Q: Can I modify the form?

A: You can input or modify any field that contains blue text – all other fields (in black text) are restricted.

By restricting content in the standard Contract Agreement in this way, the form will remain aligned with the full standard, NZS 3902, and will continue to meet the requirements of the Building Amendment Act 2013.

Note that in circumstances where options in the drop-down boxes don't exactly fit your situation, you can simply click inside in the field and type a more suitable response.

Q: Do both the builder and the homeowner need to buy a copy of NZS 3902?

A: Only one copy of the *Housing, alterations and small buildings* contract needs to be purchased per Building Work.

Q: How many times can I use and print the form?

A: The form can be saved to your computer and filled in and printed as many times as you like. However, as noted above, the form must be used in conjunction with the full NZS 3902.

We recommend that all parties to a NZS 3902 Contract Agreement should have a copy of NZS 3902 and the completed electronic form.

Q: What version of Microsoft Word will the form work on?

A: The electronic form is designed to be used in Microsoft Word 2010 and above.

Q: Can I use the form on my tablet or smartphone?

A: The form is designed to be used with desktop versions (PC or Mac) of Microsoft Word only. However, you may find the form is able to be accessed as read-only on different devices or different software.

Q: Is the form available to online library subscribers, hardcopy purchasers, and PDF purchasers?

A: Yes, the form comes free with all purchases of NZS 3902:2004. You will receive a link to download the form at the time of purchase.

Q: The check box doesn't work on my version of Microsoft Word – is there a workaround?

A: One option is to copy and paste the symbol of a check box. To do this, follow these steps:

1. Open a new Microsoft Word document
2. Go to: Insert/Symbol/More symbols
3. Change font to Wingdings, scroll to the bottom, and double click on the check box
4. Then select the symbol and copy and paste it into the form.

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