

Australian Standard 2160-1978

CONTRACT FOR SUPPLY AND CONSTRUCTION OF A SWIMMING POOL



STANDARDS ASSOCIATION OF AUSTRALIA
Incorporated by Royal Charter



THE FOLLOWING INDUSTRIAL, CONSUMER AND GOVERNMENTAL ORGANIZATIONS and departments were officially represented on the committee entrusted with the preparation of this standard:

Australian Consumers Association
Australian Federation of Consumer Organizations Incorporated
Council of Australasian Swimming Pool Associations
Department of Consumer Affairs, New South Wales
Department of Consumer Affairs, Victoria
Local Government Association of New South Wales
Trade Practices Commission

CS/63

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To keep abreast of progress in industry, Australian standards are regularly reviewed. Suggestions for improvements to published standards, addressed to the head office of the Association, are welcomed.

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AUSTRALIAN STANDARD

**CONTRACT FOR
SUPPLY AND CONSTRUCTION
OF A SWIMMING POOL**

AS 2160—1978

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PREFACE

This standard was prepared by a working group of the Association's Committee on Consumer Transactions. Its preparation was undertaken as one of a series of standards requested by the Department of the Capital Territory Consumer Affairs Bureau, on the subject of contract conditions for a variety of consumer transactions. It was felt that in some contracts the consumer could sign away his legal rights and remedies. In any event, there are obvious advantages to all parties if the conditions of the contract are set out clearly and unambiguously, and this standard aims to do this.

This standard sets out a recommended contract for the supply and construction of a swimming pool. It is primarily intended to be applicable to the conventional concrete pool, constructed on site, either wholly or partially 'in ground'. However, it is suitable for other types of permanently installed pools, such as fibreglass or steel-structured pools installed in the ground or as part of permanent building installations. It should be noted that the term 'in ground' is a general one, and pools of a type commonly known as 'in ground' may also be installed above ground level, depending on the circumstances of the site and design

of pool. The standard is not intended for use in relation to pre-fabricated or pre-packaged pools which are usually installed above ground, with a minimum of excavation, and are generally demountable.

The standard aims to leave a degree of flexibility in the conditions of contract, and does not seek to standardize warranty periods, completion periods, rates for damages and other similar aspects which may form part of the competitive nature of a contract. The schedule of payments, however, is specifically stipulated as there have been instances where the customer has been placed in an inequitable situation where his payments are far in advance of the value of the work actually performed. The conditions incorporated in this contract are considered to be fair to the interests of both customer and contractor.

The notes for the guidance of users of the contract are intended for use by both parties, the contractor and the customer, and seek to guide the parties in the correct use of the contract, as well as to provide some brief explanations of the reasons which led to the inclusion of some provisions in the contract.

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Australian Standard

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PART 1. SCOPE AND APPLICATION

1 SCOPE. This standard provides a contract for the supply and construction of a swimming pool.

2 APPLICATION. The standard contract is applicable to the construction of swimming pools of a type usually constructed or installed either wholly or partially in the ground as a permanent structure.