

Sample Form – Payment Claim

April 2026

INTRODUCTION

This document provides information about preparing a **payment claim** under the *Building and Construction Industry Security of Payment Act 2002* (SOP Act).

The sample form included in this document is **not** a prescribed form. There is no prescribed form for a **payment claim**.

The information and sample form can be used by a **claimant** to prepare a **payment claim** under the SOP Act.

BEFORE YOU START

When to make a payment claim

Earliest time

A payment claim can be served on and from the **last day of the month** in which construction work was first carried out, or goods or services were first supplied, and on the last day of each subsequent month that construction work is carried out or goods or services are supplied.

However, for construction work carried out, or goods or services supplied:

- between 1 December and 21 December – a payment claim can be served on and from **22 December** of that year; and
- between 22 December and 31 December – a payment claim can be served on and from **31 January** the following year.

Construction contracts can provide that a payment claim **can be served earlier** than timeframes specified by the SOP Act (but not later).

If a payment claim is served earlier than it should have been, it will be deemed to be served on the **earliest day** on which it could have been served.

If a construction contract is terminated (or a notice of termination is served), a payment claim can be served on and from the day on which the contract

provides is the day on which the contract is terminated. A claimant's entitlement to serve a payment claim is not affected by the termination, purported termination or expiry of the construction contract.

Latest time

A payment claim cannot be served later than **the day before**:

- the date determined under the terms of the construction contract as the **latest day** on which a payment claim can be served; or
- the date that is **6 months** after practical completion of all construction work or **6 months** after the supply of all related goods and services,

whichever is the later.

Frequency of payment claims

Unless permitted by the construction contract, only one payment claim can be served in each month. However, that payment claim can:

- include more than one progress payment;
- include any amount that has been the subject of a previous claim and has not been paid; and
- include construction work carried out or goods or services supplied in a previous month.

REQUIRED INFORMATION

A payment claim **must**:

- identify the construction work or related goods and services to which the progress payment relates
- indicate the amount of money that the claimant claims is due (the '**claimed amount**')
- include the 'Security of Payment Statement': 'This is a payment claim under the *Building and Construction Industry Security of Payment Act 2002*.'



SERVING THE PAYMENT CLAIM ON THE RESPONDENT

The payment claim must be served on the respondent (see 'When to make a payment claim' above).

A payment claim can be served in the manner (if any) required by the construction contract. In any other case, it can be served by one of the following means:

1. by delivering it in person;
2. by leaving it at the respondent's ordinary place of business;
3. by posting it to the respondent's ordinary place of business;
4. in any manner instructed by the respondent as being an acceptable manner for service; or
5. in the prescribed manner (if any)¹.

The payment claim can also be served on the respondent's agent.

The payment claim is not served until it is delivered to the respondent or left at the respondent's ordinary place of business. If it is posted, service is 7 business days after the day on which it was posted, or on any earlier day on which it was delivered to the respondent. If it is emailed or served electronically, it is served at the time the email or electronic communication is received.

A 'business day' under the SOP Act excludes Saturdays, Sundays, Victorian public holidays, and the period 22 December to 10 January.

NOTES FOR THE CLAIMANT

Preparing a payment claim

Security of Payment Statement

Ensure the payment claim includes the Security of Payment Statement. The payment claim **must** include this statement.

1. Claimant's details

Provide the name of the person or company that entered into the contract with the respondent and

provide the contact details for your ordinary place of business.

2. Respondent's details

Provide the name of the person or company that entered into the contract with you and the contact details for their ordinary place of business.

3. Payment claim details

For future reference, it is useful to assign the payment claim a number.

Provide sufficient information to identify the construction work or related goods or services to which the payment claim relates.

4. Due date for payment

The due date for payment is the date specified by the construction contract (which must not be later than 20 business days after the payment claim is served under the SOP Act) or, if not specified by the contract, 10 business days after the earliest day on which the payment claim may be served under the SOP Act.

5. Construction work or related goods and services to which the claim relates

The payment claim **must**:

- identify the construction work or related goods and services to which the claim relates
- indicate the amount of the progress payment that the claimant claims to be due (**claimed amount**).

6. List of attachments

Attach any relevant information to support the claim. List the attached documents on the form.

7. Signature of Claimant

Check that the details you have provided are accurate and then sign the form.

¹ Not currently prescribed.



SAMPLE FORM – PAYMENT CLAIM

This is a payment claim under the *Building and Construction Industry Security of Payment Act 2002*.

1. Claimant's details

Company	
Contact Person	
Address	
Phone	Fax
Email	

2. Respondent's details

Company	
Contact Person	
Address	
Phone	Fax
Email	

3. Payment claim details

Payment claim number	
Project/Site/Job Description	
Contract number (if applicable)	
Date of contract	DD / MM / YYYY
Total claimed (the 'claimed amount')	\$
Date payment claim served on Respondent	DD / MM / YYYY

4. Due date for payment

Due date for payment DD / MM / YYYY

5. Construction work or related goods and services to which the claim relates

Item No.	Description of work, goods or services	Qty	Rate	Claimed amount
				\$
				\$
Total claimed amount				\$

6. List of attachments

7. Signature of Claimant

Signature of Claimant
Date DD / MM / YYYY



Accessibility

For enquiries in languages other than English, contact the Translating and Interpreting Service on 131 450. Say the name of your language in English and ask the interpreter to call 1300 815 127.

If you have difficulties with hearing or speech, you can contact the **Building and Plumbing Commission** via the [National Relay Service](#). Simply enter 1300 815 127 as the number you want to call.

Users of TTY services can also contact the BPC via our direct TTY line: 133 677.

Acknowledgment of Country

The Building and Plumbing Commission (BPC) respectfully acknowledges the Traditional Owners and custodians of the land and water upon which we rely. We pay our respects to their Elders past and present. We recognise and value the ongoing contributions of Aboriginal and Torres Strait Islander peoples and communities to Victorian life.

We embrace the spirit of reconciliation, working towards equality of outcomes and an equal voice.



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Want to know more?

If you have any questions about this information, please contact the Building and Plumbing Commission.

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