



Are you hiring a Builder?

If you are carrying on works in your home and you need a builder, make sure to bear the following things in mind:

Ask friends, relations, or neighbours if they can recommend a tradesperson who has carried out work for them. You can also ask the business to show you a portfolio of other works they have carried out.

Ask your chosen businesses to give you a written quotation (that is a firm price rather than an estimate).

When you appoint the services of a building contractor you are entering into a legally binding contract with them even when there is no signed written contract. In any such contract it is automatically implied that the contractor owes you, the client, a duty of care and also that any works done will be free from defects or hindrance for a reasonable period of time.

In order to avoid any confusion or disputes during or upon completion of works, it is recommended, that a written contract is signed by both parties, however small or insignificant the job may be.

Agree on the payment arrangements before the works start. Never pay the whole amount up front and always insist on a signed receipt for every payment you make. Normally a contractor may ask you for interim payments as the job progresses. If this is the case you may want to negotiate and introduce some form of retention of monies to safeguard your position in the event that things go wrong. This could be a certain percentage discounted from each interim payment agreed by both parties that is paid upon completion and inspection of works if it has been done as per contract.

Although it is expected within any contract that the job is to be completed within a reasonable amount of time it is important when entering into any contract that time is made of the essence and that a completion date is agreed. It is not uncommon within such contracts to introduce penalties for every week that the works being carried out are delayed, without reasonable cause.

If you contract with a business or individual that has not been licensed by the OFT, they could be trading illegally. This could also make matters more difficult at the time of seeking redress against them if things go wrong.

Check if the work you're carrying out requires building regulations approval. For more information contact the Department of Town Planning & Building Control:

Suite 631 Europort, Gibraltar
Tel: +350 20075483
www.gibraltar.gov.gi/town-planning

Make sure the builder knows that they are responsible for all their team members, including sub-contractors.

For further assistance, or if you have a problem with a builder, please contact the OFT's Consumer protection team: consumer.protection@gibraltar.gov.gi

