

International  
Construction  
Law Association

ICLA

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## ICLA Inaugural Seminar 2016

International Construction Law:  
Bridging Common and Civil Law;  
Is standardisation possible?

Paris, France  
24 June 2016

**Jurisdiction of China**  
**Zhao Dongfeng**



## Chinese Construction Law-Defects

- Quality Guaranty Period(for instance, housing work)
  - Basic structure, foundation and main structure: the whole period provided by design
  - House roof water proofing work, water-proofing toilet or rooms and leakage proofing work: 5 years. No leakage, cracking and other defects
  - Unless otherwise by the mandatory requirement, the contracting parties are free to provide defect liability period



## Chinese Construction Law-Defects

- Defect Liability Period
  - 6 months,
  - 12 months
  - 24 months;
  - Quality Guaranty Money: 5%-10%
- Quality Guaranty Period vs. Defect Liability Period



## Chinese Construction Law-Defects

- Completion Test
  - Both Quality Guaranty Period and Defect Liability Period begin from the date that the Completion Test has passed
  - If the project, without passing completion test, is put into use, the contractor shall not be responsible for defects except foundation base work and main structure.

