

# Building and Construction Industry Security of Payment Act 1999 Quarter 2 2023

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## Adjudication Activity Statistics

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# 1

## Applications

Number and status	Number (Quarterly)	Year to date (YTD)
Applications lodged	214	436
Determinations released	115	237
Determinations pending	11	21
Determinations not released	88	178

Application by Section	Number (Quarter)	Year to date (YTD)
S17(1)(a)(i)	102	211
S17(1)(a)(ii)	11	13
S17(1)(b)	101	212
<b>Total Number</b>	<b>214</b>	<b>436</b>

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	47	88
Settled Privately	2	4
Invalid Application	0	0
Timed Out	9	21
Jurisdiction	0	1
Not yet determined	1	34
Adjudicator conflict of Interest	0	0
Fees not paid	0	1
Other	1	1

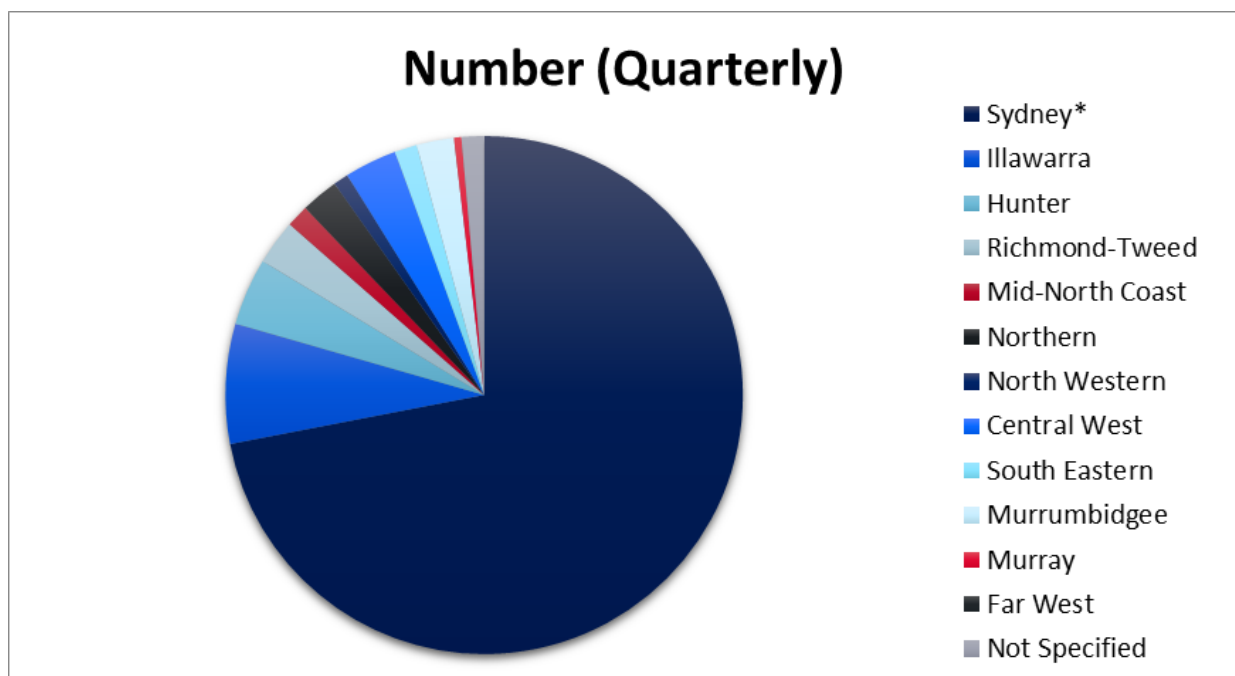
## 1.1 Applications by region

Region classification based on the Australian Standards Geographical Classification (ASGC) for NSW and Sydney (Statistical Division and Statistical Subdivisions, ABS Cat. No 1216.0) and determined using project address postcode information.

### 1.1.1 State-wide distribution

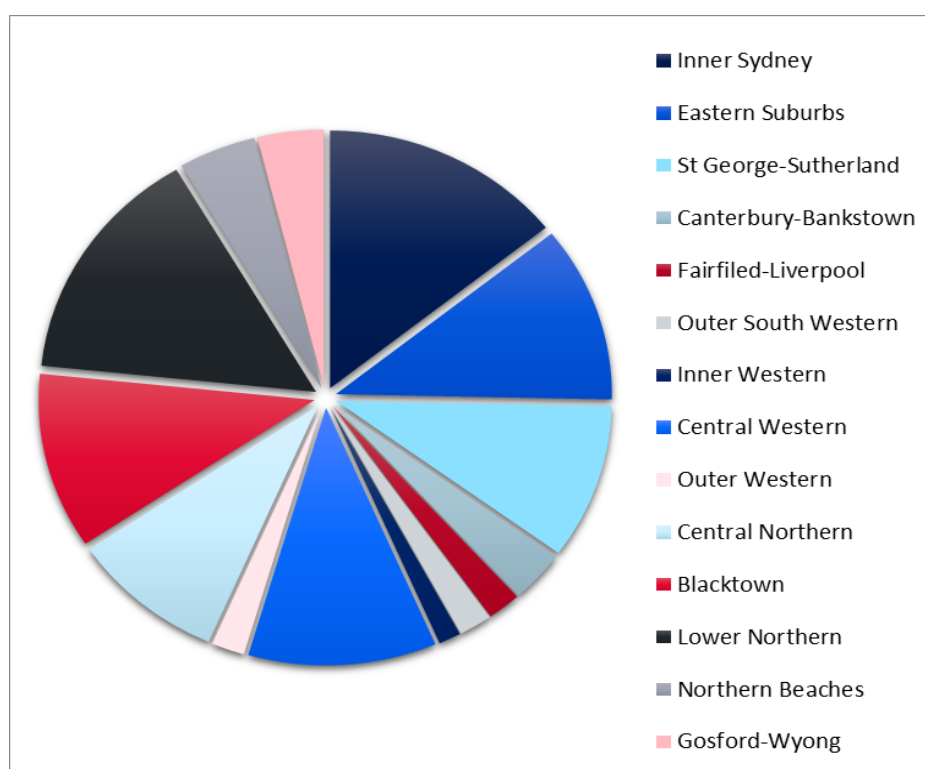
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	154	72.0%
Illawarra	16	7.9%
Hunter	9	7.0%
Richmond-Tweed	6	2.3%
Mid-North Coast	3	1.4%
Northern	5	1.4%
North Western	2	0.9%
Central West	7	7.9%
South Eastern	3	1.4%
Murrumbidgee	5	6.5%
Murray	1	7.9%
Far West	0	10.7%
Not Specified	3	2.8%

\* See Sydney distribution table



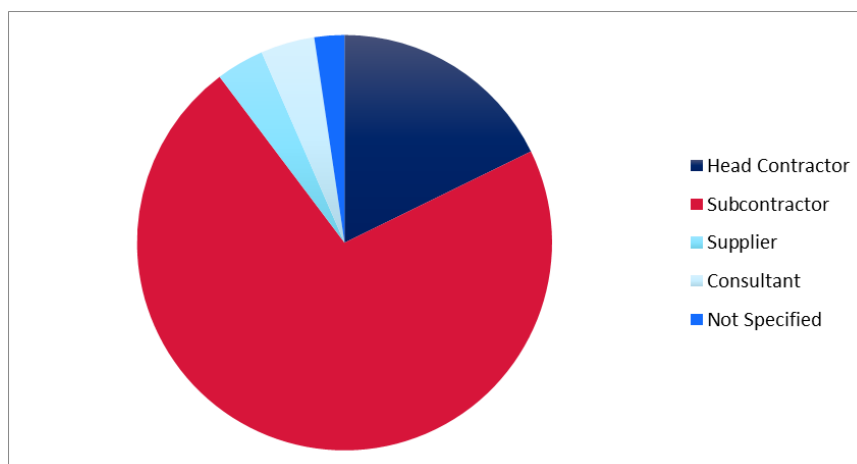
## 1.1.2 Sydney distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	22	14.3%
Eastern Suburbs	17	11.0%
St George-Sutherland	15	9.7%
Canterbury-Bankstown	5	3.2%
Fairfield-Liverpool	3	1.9%
Outer South Western	3	1.9%
Inner Western	2	1.3%
Central Western	17	11.0%
Outer Western	3	1.9%
Central Northern	14	9.1%
Blacktown	17	11.0%
Lower Northern	23	14.9%
Northern Beaches	7	4.5%
Gosford-Wyong	6	3.9%



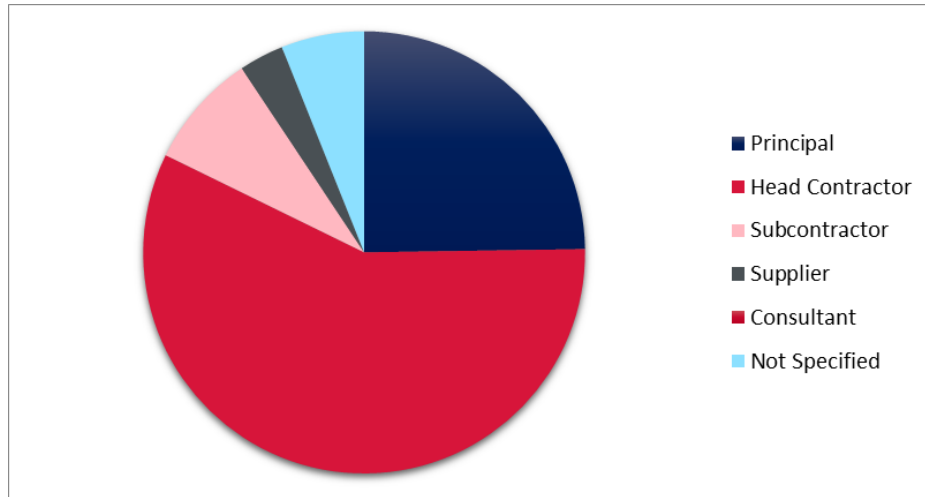
### 1.1.3 Application by claimant type

Claimant Distribution	Number (Quarterly)	% of Total
Head Contractor	38	17.8%
Subcontractor	154	72.0%
Supplier	8	3.7%
Consultant	9	4.2%
Not Specified	5	2.3%
Total Number	214	100%



### 1.1.4 Application by respondent type

Respondent Distribution	Number (Quarterly)	% of Total
Principal	53	24.8%
Head Contractor	123	57.5%
Subcontractor	18	8.4%
Supplier	7	3.3%
Consultant	0	0.0%
Not Specified	13	6.1%
Total Number	214	100%





# 2

## Claimed amounts.

### 2.1 Claimed amount and Adjudicated Amount Statistics

Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$412,289,404	\$618,913,732
Total Value Claimed Amounts (Determinations Released)	\$382,464,261	\$532,377,137
Total Value Adjudicated Amounts (Determinations Released)	\$202,741,647	\$229,382,322
Average Claimed Amount	\$1,926,586	
Average Adjudicated Amount (Determinations Released)	\$1,762,971	
Maximum Claim Amount	\$185,306,131	
Maximum Adjudicated Amount (Determinations Released)	\$173,783,154	
Minimum Claimed Amount	\$1,025	
Minimum Adjudicated Amount (Determinations Released)	\$0	

# 3

## Determinations

### 3.1 Determinations by claim range

Claimed Amount (\$)	Number (Quarter) <sup>^</sup>	Cumulative Claimed Amount (\$)	Average Claimed Amount (\$)	Number awarded 100% of claimed amount
< \$5000	6	\$17,990	\$2,998	0
\$5,000 - \$9,999	12	\$92,574	\$7,715	9
\$10,000 - \$24,999	24	\$414,237	\$17,260	16
\$25,000 - \$39,999	10	\$327,774	\$32,777	4
\$40,000 - \$99,999	24	\$1,575,232	\$65,635	8
\$100,000 - \$249,999	14	\$2,276,958	\$162,640	4
\$250,000 - \$499,999	10	\$3,381,959	\$338,196	0
\$500,000 - \$749,999	5	\$2,670,624	\$534,125	0
\$750,000 - \$999,999	0	\$0	\$0	0
≥\$1,000,000	8	\$43,947,624	\$5,493,453	0

<sup>^</sup> Determinations released

### 3.2 Determinations by adjudicated amounts

Claimed Amount (\$)	Number (Quarter) <sup>^</sup>	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	25	\$26,523	\$1,061
\$5,000 - \$9,999	11	\$84,617	\$7,692
\$10,000 - \$24,999	25	\$434,674	\$17,387
\$25,000 - \$39,999	7	\$228,917	\$32,702
\$40,000 - \$99,999	16	\$971,393	\$60,712
\$100,000 - \$249,999	18	\$3,009,669	\$167,204
\$250,000 - \$499,999	3	\$1,102,067	\$367,356
\$500,000 - \$749,999	4	\$2,323,969	\$580,992
\$750,000 - \$999,999	1	\$775,278	\$775,278
≥\$1,000,000	5	\$20,001,388	\$4,000,278

<sup>^</sup> Determinations released

### 3.3 Adjudication certificates issued by adjudicated amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	25	5	20.0%
\$5,000 - \$9,999	11	4	36.4%
\$10,000 - \$24,999	25	7	28.0%
\$25,000 - \$39,999	7	3	42.9%
\$40,000 - \$99,999	16	9	56.3%
\$100,000 - \$249,999	18	1	5.6%
\$250,000 - \$499,999	3	1	33.3%
\$500,000 - \$749,999	4	0	0.0%
\$750,000 - \$999,999	1	0	0.0%
≥\$1,000,000	5	0	0.0%

^ Determinations released

\*Adjudicated amounts of \$nil not counted

# 4

## Adjudication fees

### 4.1 Adjudication fees by claim range

Claimed Amount (\$)	Number (Quarter) <sup>^</sup>	Total	Average	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	6	\$4,370	\$728	\$567	\$161	24.3%	77.8%	22.2%
\$5,000 - \$9,999	12	\$15,395	\$1,283	\$1,214	\$68	16.6%	94.7%	5.3%
\$10,000 - \$24,999	24	\$54,409	\$2,267	\$1,906	\$361	13.1%	84.1%	15.9%
\$25,000 - \$39,999	10	\$38,471	\$3,847	\$3,155	\$692	11.7%	82.0%	18.0%
\$40,000 - \$99,999	24	\$108,818	\$4,534	\$3,822	\$712	6.9%	84.3%	15.7%
\$100,000 - \$249,999	14	\$107,883	\$7,706	\$6,396	\$1,310	4.7%	83.0%	17.0%
\$250,000 - \$499,999	10	\$120,522	\$12,052	\$8,111	\$3,941	3.6%	67.3%	32.7%
\$500,000 - \$749,999	5	\$64,228	\$12,846	\$10,199	\$2,646	2.4%	79.4%	20.6%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	8	\$286,711	\$35,839	\$22,310	\$13,529	0.7%	62.3%	37.8%

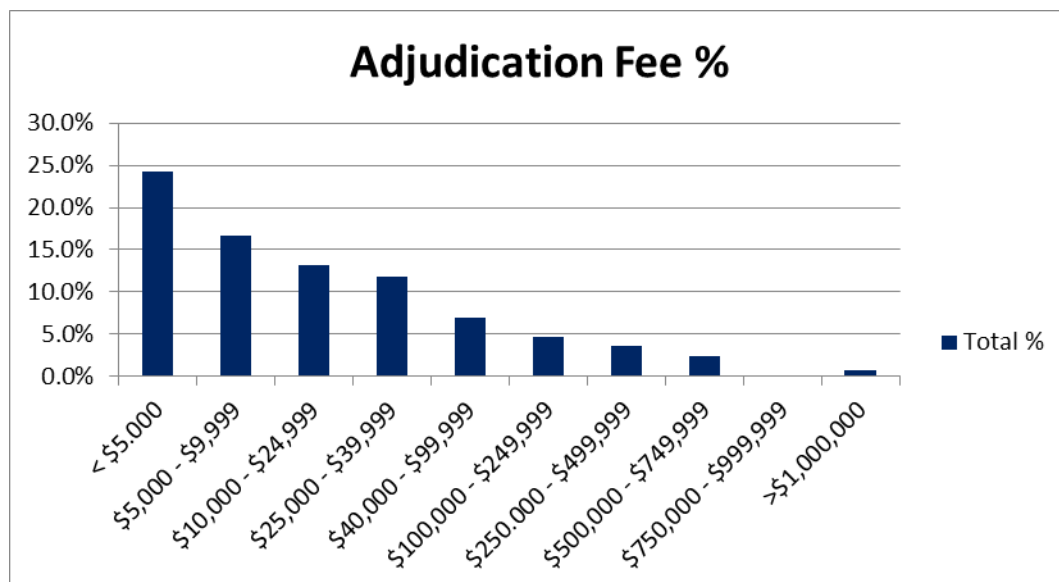
<sup>^</sup>Determinations released

(1) Average Adjudication Fee expressed as a percentage of the Average Claimed Amount.

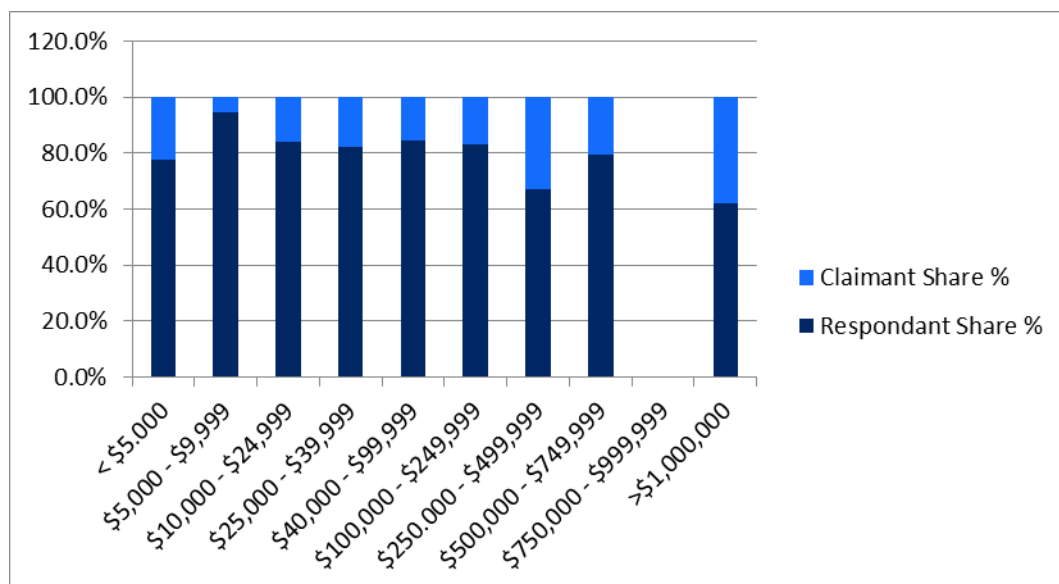
(2) Average Respondent share expressed as a percentage of the Average Adjudication Fee.

(3) Average Claimant share expressed as a percentage of the Average Adjudication Fee.

**Figure 1: Average Adjudication Fee Expressed as a % of Average Amount (by Claim Range for this Quarter)**



**Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)**





# 5 Fees

## 5.1 ANA fees by claim range

Claimed Amount (\$)	Number (Quarter) <sup>^</sup>	Total	Average	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	6	\$1,453	\$242	\$175	\$67	8.1%	72.2%	27.8%
\$5,000 - \$9,999	12	\$5,129	\$427	\$379	\$48	5.5%	88.7%	11.3%
\$10,000 - \$24,999	24	\$17,820	\$743	\$551	\$191	4.3%	74.3%	25.8%
\$25,000 - \$39,999	10	\$11,947	\$1,195	\$932	\$263	3.6%	78.0%	22.0%
\$40,000 - \$99,999	24	\$35,125	\$1,464	\$1,206	\$258	2.2%	82.4%	17.6%
\$100,000 - \$249,999	14	\$31,654	\$2,261	\$1,676	\$585	1.4%	74.1%	25.9%
\$250,000 - \$499,999	10	\$32,480	\$3,248	\$2,036	\$1,211	1.0%	62.7%	37.3%
\$500,000 - \$749,999	5	\$19,064	\$3,813	\$2,311	\$1,502	0.7%	60.6%	39.4%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	8	\$49,292	\$6,162	\$2,703	\$3,458	0.1%	43.9%	56.1%

<sup>^</sup>Determinations released

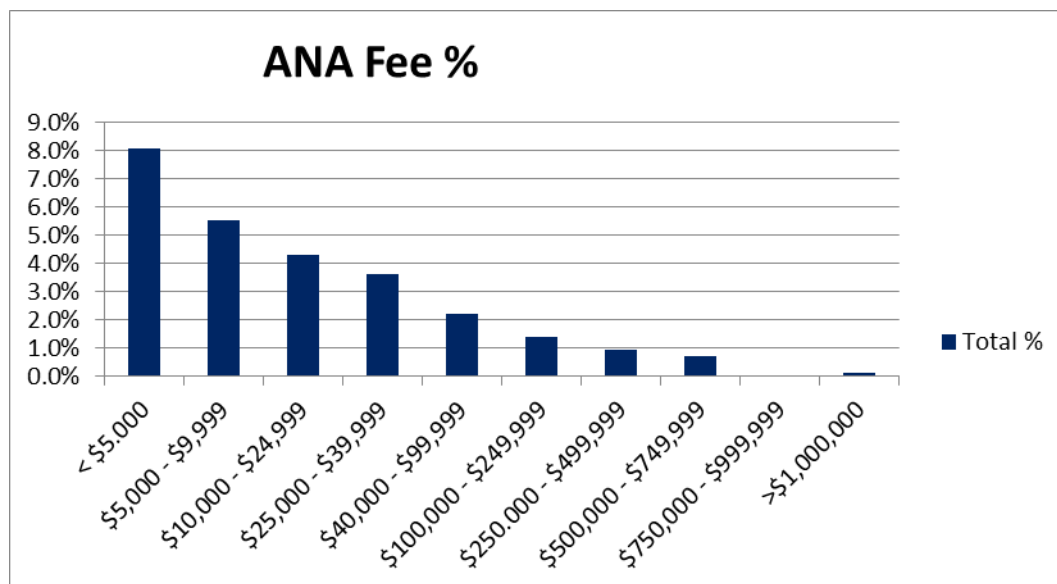
(1) Average ANA Fee expressed as a percentage of the Average Claimed Amount.

(2) Average Respondent share expressed as a percentage of the ANA Fee.

(3) Average Claimant share expressed as a percentage of the ANA Fee.

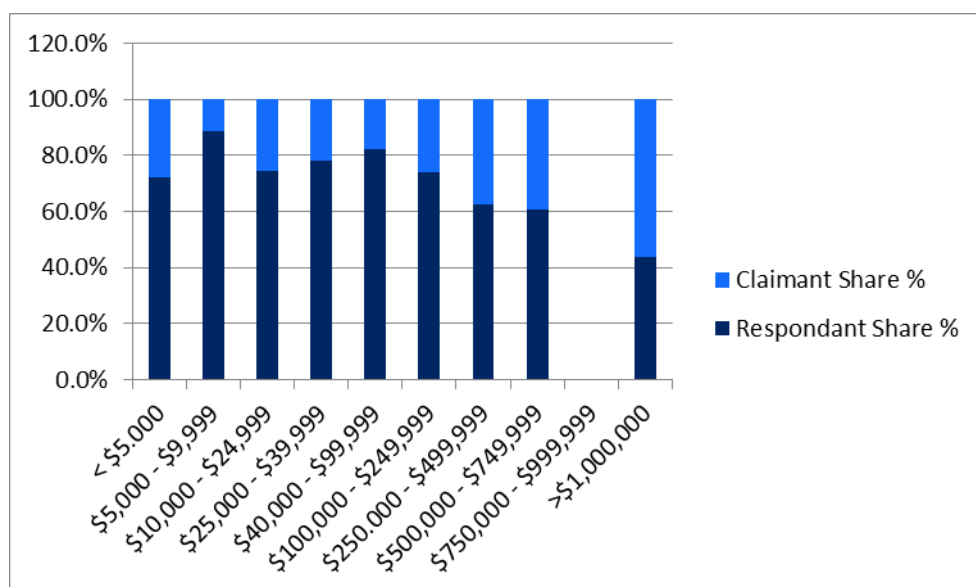


**Figure 3: Average ANA Fee Expressed as a % of Average Amount (by Claim Range for this Quarter)**



**Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)**

Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter) less than \$5,000 to greater than 1 million dollars



## 5.1.1 Adjudicator versus ANA Fees

Adjudicator Versus ANA fee	Quarter \$	YTD \$	% of total fees
Adjudicator	\$652,036	\$1,358,128	73.2%
ANA	\$238,845	\$514,187	26.8%
Total Fees	\$890,881	\$1,872,314	100%

Total Adjudication Fees^	Quarter \$	YTD (\$)
Total Fees*	\$939,341	\$1,920,775
Average Total Fee	\$8,168	\$16,213
Max Total Fee	\$76,230	\$151,222
Min Total Fee	\$0	\$570

^Determinations released

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# 6

## Additional statistics

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts (Determinations Not Released)	\$2,833,694	\$5,517,828
Total Value Adjudicated Amounts (Determinations Not Released)	\$256,872	\$738,991
Average Adjudicated Amount (Determinations Not released)	\$160,002	
Maximum Adjudicated Amount (Determinations Not Released)	\$160,002	
Minimum Adjudicated Amount (Determinations Not Released)	\$0	

## Department of Customer Service

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Quarterly reports represent the data presented as a snapshot in time. Subsequently, there may be discrepancies in totals, specifically in year to date (YTD) totals as a small percentage of applications are received but not yet determined within any given quarter. The 4th quarter report will show the most accurate YTD as it is compiled using updated quarterly data supplied by the Authorised Nominating Authorities.

**Rounding:** Where figures have been rounded, discrepancies may occur between sums of the component items and the totals shown.

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