



Finance  
& Services

# Building and Construction Industry Security of Payment Act 1999

## Adjudication Activity Statistics

Quarterly Report — No. 4

1 July 2013 to 30 June 2014



**Disclaimer** - The statistics presented in this publication are based on data provided by the Authorised Nominating Authorities to the Office of Finance & Services. The State of New South Wales disclaims any liability (including for negligence) to any person in respect of anything and the consequences of anything done or not done by any such person in reliance upon anything in or omitted in these statistics.

© Crown in right of New South Wales through the Office of Finance & Services 2014

Coverage of this Report: This progress report contains adjudication activity statistics for the period commencing on 1 July 2013 and ending on 30 June 2014.

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

Prepared by



Adjudication Research + Reporting Unit

# APPLICATIONS

## Applications by Number, Status & Section

Table 1(a)

Number and Status (last year)	YTD	YTD (last year)
Applications lodged	817	1009
Determination released	556	672
Determination pending release	41	138
Application completed but not determined	220	199

Note: 'Application completed but not determined' is an application where the determination has not been released and is not pending release.

Table 1(b)

Application by Section	YTD	YTD (last year)
s.17(1)(a)(i)	414	492
s.17(1)(a)(ii)	2	8
s.17(1)(b)	401	509
<b>Total Number</b>	<b>817</b>	<b>1009</b>

## Applications by Region

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

### State-wide Distribution

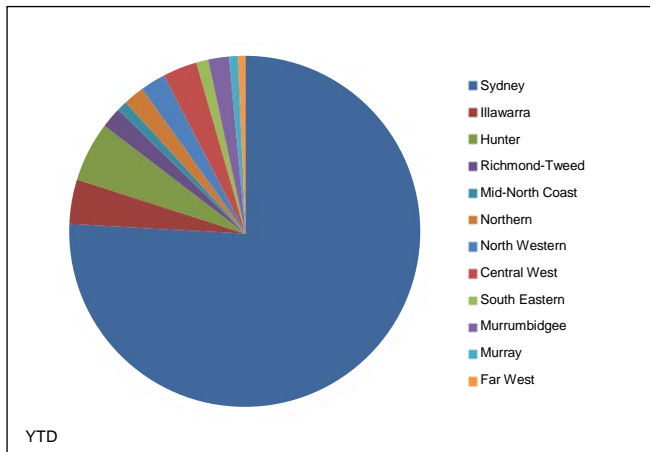


Table 2(a)

Region (State-wide)	YTD (% of Total)
Sydney*	560 (75.9%)
Illawarra	30 (4.1%)
Hunter	40 (5.4%)
Richmond-Tweed	14 (1.9%)
Mid-North Coast	7 (0.9%)
Northern	14 (1.9%)
North Western	17 (2.3%)
Central West	23 (3.1%)
South Eastern	8 (1.1%)
Murrumbidgee	14 (1.9%)
Murray	6 (0.8%)
Far West	5 (0.7%)
<b>Total Number</b>	<b>738 (100%)</b>

\* See 'Sydney Distribution' Table 2(b) below.  
Note - Total number of responses: YTD = 738

### Sydney Distribution

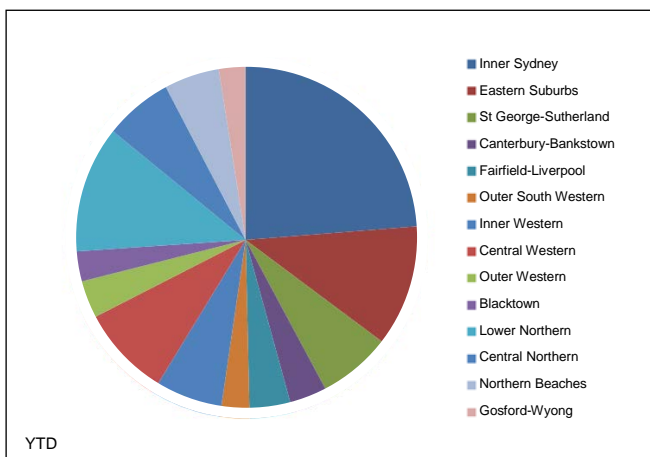


Table 2(b)

Region (Sydney)	YTD (% of Total)
Inner Sydney	133 (23.8%)
Eastern Suburbs	64 (11.4%)
St George-Sutherland	39 (7.0%)
Canterbury-Bankstown	20 (3.6%)
Fairfield-Liverpool	22 (3.9%)
Outer South Western	15 (2.7%)
Inner Western	36 (6.4%)
Central Western	49 (8.8%)
Outer Western	20 (3.6%)
Blacktown	16 (2.9%)
Lower Northern	67 (12.0%)
Central Northern	36 (6.4%)
Northern Beaches	29 (5.2%)
Gosford-Wyong	14 (2.5%)
<b>Total Number</b>	<b>560 (100%)</b>

## Application by Claimant Type

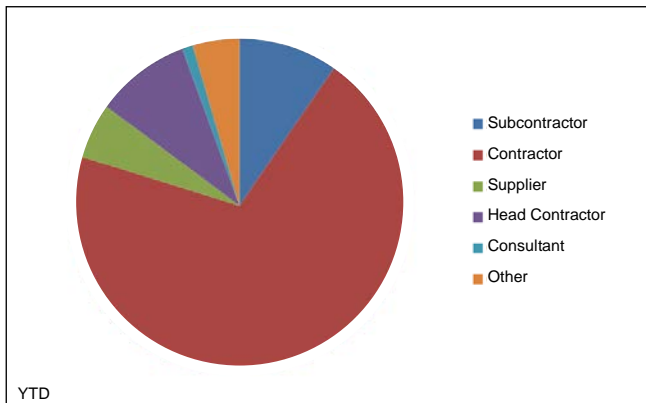


Table 3(a)

Claimant Distribution	YTD (% of Total)
Subcontractor	55 (9.6%)
Contractor	402 (70.2%)
Supplier	31 (5.4%)
Head Contractor	53 (9.2%)
Consultant	6 (1.0%)
Other	26 (4.5%)
<b>Total Number</b>	<b>573 (100%)</b>

Note - Total number of responses: YTD = 573

## Application by Respondent Type

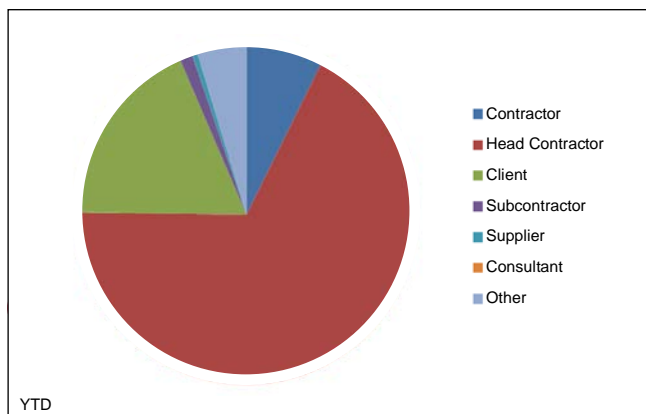


Table 3(b)

Respondent Distribution	YTD (% of Total)
Contractor	42 (7.3%)
Head Contractor	389 (67.9%)
Client	105 (18.3%)
Subcontractor	7 (1.2%)
Supplier	3 (0.5%)
Consultant	nil
Other	27 (4.7%)
<b>Total Number</b>	<b>573 (100%)</b>

Note - Total number of responses: YTD = 573

## CLAIMED AMOUNT

### Claimed Amount Statistics

Table 4

Claimed Amount Statistics	YTD (\$)	YTD (\$) (last year)
Total value of claimed amounts	319,916,080	186,257,346
Total value of claimed amounts (Determination released)	221,196,608	111,112,057
Av. claimed amount	392,054	184,596
Av. claimed amount (Determination released)	397,836	165,345
Max. claimed amount	65,246,030	10,466,798
Max. claimed amount (Determination released)	65,246,030	6,824,415
Min. claimed amount	347	97
Min. claimed amount (Determination released)	347	440

# DETERMINATIONS

## Claimed versus Adjudicated Amounts

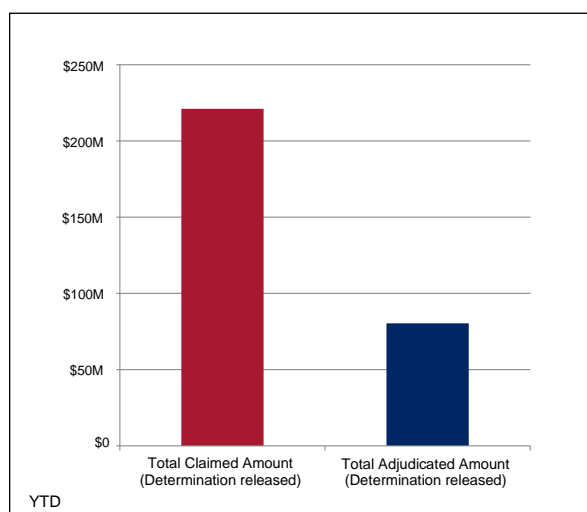


Table 5

Claimed v. Adjudicated Amounts <sup>†</sup>	YTD (\$)
Total value of claimed amounts*	221,196,608
Total value of adjudicated amounts	80,573,947

<sup>†</sup> Determination released  
\* Shown in Table 4 above

## Determinations by Claim Range

Table 6

Claimed Amount (\$)	Number (YTD) <sup>†</sup>	Av. Claimed Amount (\$)	Av. Determined (\$ (% of Av. Claimed Amount))	Number awarded 100% of the claimed amount (% of Number)
< 5,000	65	2,669	2,499 (94%)	57 (88%)
5,000-9,999	69	7,353	6,909 (94%)	55 (80%)
10,000-24,999	100	16,621	13,279 (80%)	59 (59%)
25,000-39,999	53	31,191	24,663 (79%)	27 (51%)
40,000-99,999	98	63,349	48,997 (77%)	36 (37%)
100,000-249,999	70	162,347	114,318 (70%)	19 (27%)
250,000-499,999	46	348,787	223,430 (64%)	9 (20%)
500,000-749,999	8	630,103	291,975 (46%)	nil
750,000-999,999	10	830,035	387,491 (47%)	nil
≥ 1,000,000	37	4,601,157	1,297,493 (28%)	5 (14%)
<b>Total number</b>	<b>556</b>			<b>267 (48%)</b>

<sup>†</sup> Determination released

## Adjudication Certificates Issued by Adjudicated Amount

Table 7

Adjudicated Amount (\$)	Number (YTD) <sup>†</sup>	Number of Certificates Issued (% of Number)
< 5,000*	77	40 (52%)
5,000-9,999	73	39 (53%)
10,000-24,999	97	58 (60%)
25,000-39,999	56	26 (46%)
40,000-99,999	91	39 (43%)
100,000-249,999	60	26 (43%)
250,000-499,999	38	13 (34%)
500,000-749,999	5	3 (60%)
750,000-999,999	3	1 (33%)
≥ 1,000,000	14	3 (21%)
<b>Total number</b>	<b>514</b>	<b>248 (48%)</b>

<sup>†</sup> Determination released

\* Adjudicated amounts of \$nil not counted (n=42)

# ADJUDICATION FEES

## Adjudication fees by Claim Range

Table 8

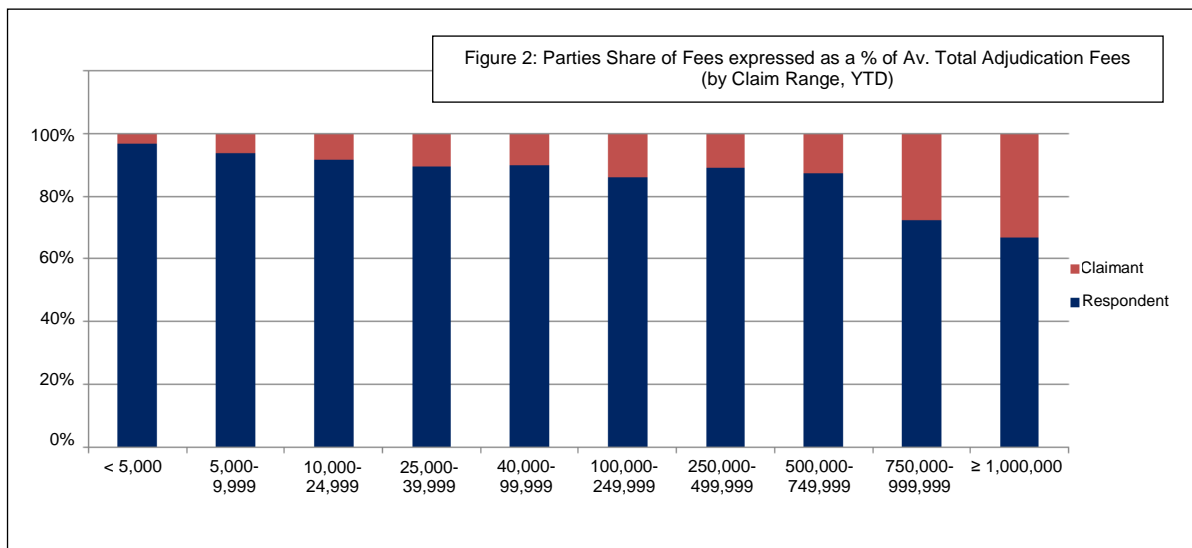
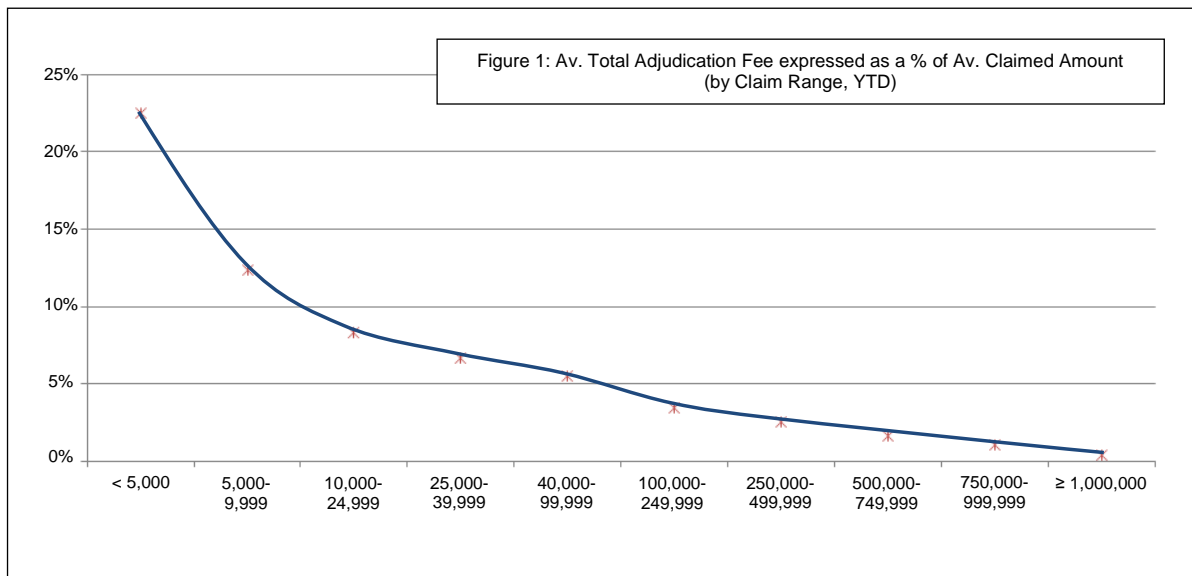
Claimed Amount (\$)	Number (YTD) <sup>†</sup>	Av. Fees (\$)			Av. Fees (%)		
		Total	Respondent Share	Claimant Share	Total <sup>1</sup>	Respondent Share <sup>2</sup>	Claimant Share <sup>3</sup>
<5,000	65	600	581	19	22.5%	96.9%	3.1%
5,000-9,999	69	908	850	58	12.3%	93.7%	6.3%
10,000-24,999	100	1,377	1,263	114	8.3%	91.8%	8.2%
25,000-39,999	53	2,072	1,853	219	6.6%	89.4%	10.6%
40,000-99,999	98	3,507	3,158	349	5.5%	90.1%	9.9%
100,000-249,999	70	5,608	4,836	772	3.5%	86.2%	13.8%
250,000-499,999	46	8,861	7,910	951	2.5%	89.3%	10.7%
500,000-749,999	8	10,426	9,123	1,303	1.7%	87.5%	12.5%
750,000-999,999	10	8,868	6,404	2,463	1.1%	72.2%	27.8%
≥ 1,000,000	37	18,634	12,473	6,161	0.4%	66.9%	33.1%
<b>Total number</b>	<b>556</b>						

<sup>†</sup> Determination released

<sup>1</sup> Av. Total Adjudication Fee expressed as a percentage of the Av. Claimed Amount (Av. Claimed Amount is shown in Table 6 above). See Fig. 1 below.

<sup>2</sup> Av. Respondent share expressed as a percentage of the Av. Total Adjudication Fee.

<sup>3</sup> Av. Claimant share expressed as a percentage of the Av. Total Adjudication Fee. } See comparative breakup in Fig. 2 below.



## Adjudicator versus ANA Fees

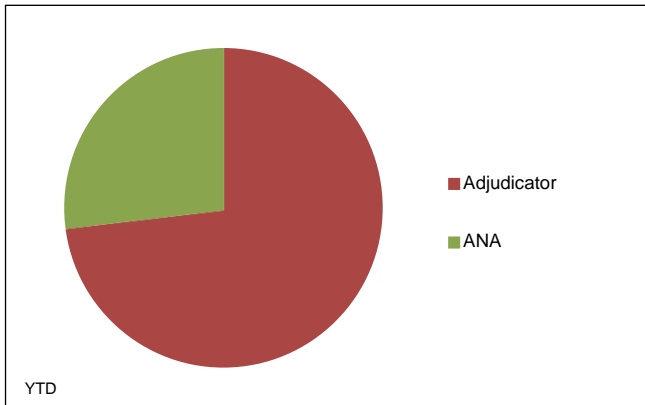


Table 9

Adjudicator v. ANA Fees <sup>†</sup>	YTD (\$) (% of Total Fees)
Adjudicator	1,722,200 (73.1%)
ANA	632,304 (26.9%)
<b>Total adjudication fee</b>	<b>2,354,504 (100%)</b>

<sup>†</sup> Determination released

## Adjudication Fees Statistics

Table 10

Adjudication Fee Statistics <sup>†</sup>	YTD (\$)
Total adjudication fees*	2,354,504
Av. total adjudication fee	4,235
Max. total adjudication fee	143,190
Min. total adjudication fee	nil

<sup>†</sup> Determination released  
\* Shown in Table 9 above



**Office of Finance & Services**  
McKell Building  
2-14 Rawson Place Sydney NSW 2000  
[www.services.nsw.gov.au](http://www.services.nsw.gov.au)