



Fair
Trading

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 1

1 July 2018 to 30 September 2018



Disclaimer – The statistics presented in this publication are based on data provided by the Authorised Nominating Authorities to NSW Fair Trading. 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 or omitted in these statistics.

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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,

APPLICATIONS

Number and Status	Number (Quarterly)	YTD
Applications Lodged	222	222
Determinations released	142	142
Determinations pending release	21	21
Determinations not released	59	59

Application by Section	Number (Quarter)	YTD
s.17(1)(a)(i)	116	116
s.17(1)(a)(ii)	1	1
s.17(1)(b)	105	105
Total Number	222	222

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	6	6
Settled Privately	32	32
Invalid Application	15	15
Timed Out	4	4
Jurisdiction	1	1
Not yet determined	0	0
Adjudicator conflict of Interest	1	1
Fees not paid	1	1
Other	0	0

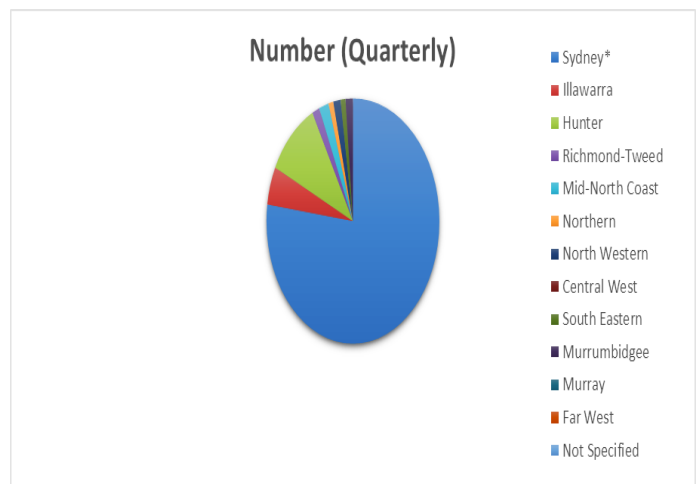
Applications by Region

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.

State-wide Distribution

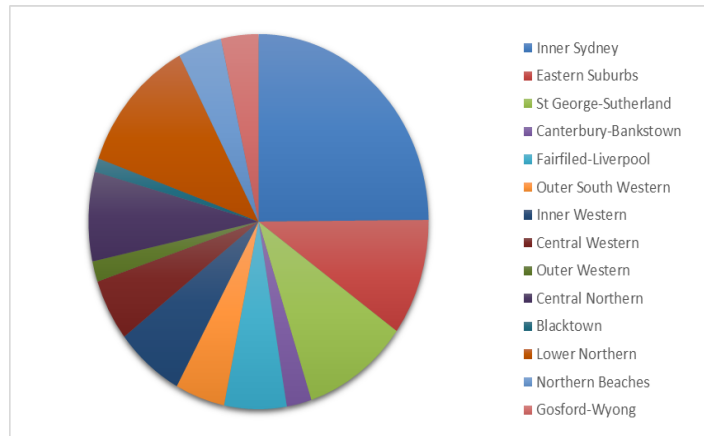
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	169	77.2%
Illawarra	11	5.0%
Hunter	22	10.0%
Richmond-Tweed	3	1.4%
Mid-North Coast	4	1.8%
Northern	2	0.9%
North Western	3	1.4%
Central West	0	0.0%
South Eastern	2	0.9%
Murrumbidgee	3	1.4%
Murray	0	0.0%
Far West	0	0.0%
Not Specified	0	0.0%

* See Sydney Distribution table



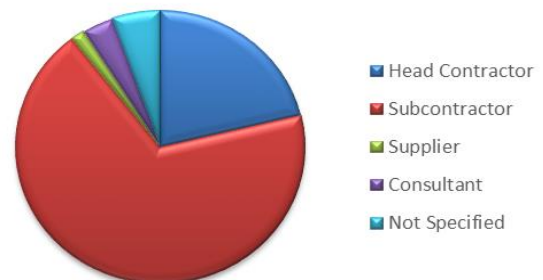
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	42	24.9%
Eastern Suburbs	17	10.1%
St George-Sutherland	17	10.1%
Canterbury-Bankstown	4	2.4%
Fairfield-Liverpool	10	5.9%
Outer South Western	8	4.7%
Inner Western	11	6.5%
Central Western	9	5.3%
Outer Western	3	1.8%
Central Northern	13	7.7%
Blacktown	2	1.2%
Lower Northern	20	11.8%
Northern Beaches	7	4.1%
Gosford-Wyong	6	3.6%



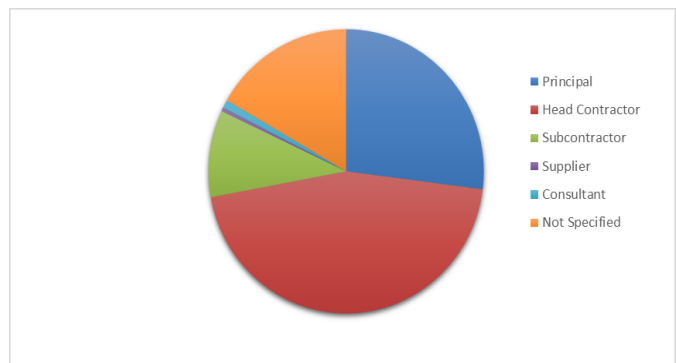
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	50	22.5%
Subcontractor	145	65.3%
Supplier	4	1.8%
Consultant	9	4.1%
Not Specified	14	6.3%
Total Number	222	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	60	27.0%
Head Contractor	100	45.0%
Subcontractor	22	9.9%
Supplier	1	0.5%
Consultant	2	0.9%
Not Specified	37	16.7%
Total Number	222	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$100,044,724	\$100,044,724
Total Value Claimed Amounts (Determinations released)	\$56,531,049	\$56,531,049
Total Value Adjudicated Amounts (Determinations Released)	\$18,435,865	\$18,435,865
Average Claimed Amount	\$450,652	
Average Adjudicated Amount (Determinations Released)	\$131,685	
Maximum Claim Amount	\$10,148,848	
Maximum Adjudicated Amount (Determinations Released)	\$2,788,537	
Minimum Claimed Amount	\$836	
Minimum Adjudicated Amount (Determinations Released)	\$0	

DETERMINATIONS

Determinations by Claim Range

Claimed Amount (\$)	Number (Quarter)^	Cumulative Claimed Amount (\$)	Average Claimed Amount (\$)	Number awarded 100% of claimed amount
< \$5000	8	\$30,955	\$3,869	6
\$5,000 - \$9,999	14	\$94,779	\$6,770	12
\$10,000 - \$24,999	14	\$253,771	\$18,127	7
\$25,000 - \$39,999	15	\$476,484	\$31,766	8
\$40,000 - \$99,999	36	\$2,266,475	\$62,958	11
\$100,000 - \$249,999	24	\$3,601,870	\$150,078	9
\$250,000 - \$499,999	12	\$4,536,998	\$378,083	2
\$500,000 - \$749,999	3	\$1,644,596	\$548,199	1
\$750,000 - \$999,999	3	\$2,529,550	\$843,183	0
≥\$1,000,000	13	\$41,095,570	\$3,161,198	0

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	29	\$33,477	\$1,154
\$5,000 - \$9,999	14	\$92,731	\$6,624
\$10,000 - \$24,999	17	\$295,521	\$17,384
\$25,000 - \$39,999	15	\$483,482	\$32,232
\$40,000 - \$99,999	33	\$2,086,219	\$63,219
\$100,000 - \$249,999	17	\$2,522,042	\$148,355
\$250,000 - \$499,999	8	\$2,556,197	\$319,525
\$500,000 - \$749,999	3	\$1,904,541	\$634,847
\$750,000 - \$999,999	0	\$0	\$0
≥\$1,000,000	4	\$8,461,656	\$2,115,414

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter) [^]	Number of Certificates Issued	% of Certificates Issued
< \$5000*	29	5	17.2%
\$5,000 - \$9,999	14	10	71.4%
\$10,000 - \$24,999	17	8	47.1%
\$25,000 - \$39,999	15	9	60.0%
\$40,000 - \$99,999	33	15	45.5%
\$100,000 - \$249,999	17	7	41.2%
\$250,000 - \$499,999	8	3	37.5%
\$500,000 - \$749,999	3	1	33.3%
\$750,000 - \$999,999	0	0	0
≥\$1,000,000	4	0	0.0%

[^] Determinations released

*Adjudicated amounts of \$nil not counted

ADJUDICATION FEES

Adjudication fees by Claim Range

Claimed Amount (\$)	Number (Quarter) [^]	Total	Average	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	8	\$10,011	\$1,251	\$1,095	\$156	32.3%	87.5%	12.5%
\$5,000 - \$9,999	14	\$15,876	\$1,134	\$1,109	\$25	16.8%	97.8%	2.2%
\$10,000 - \$24,999	14	\$24,608	\$1,758	\$1,200	\$557	9.7%	68.3%	31.7%
\$25,000 - \$39,999	15	\$44,789	\$2,986	\$2,126	\$860	9.4%	71.2%	28.8%
\$40,000 - \$99,999	36	\$158,483	\$4,402	\$3,415	\$987	7.0%	77.6%	22.4%
\$100,000 - \$249,999	24	\$179,587	\$7,483	\$6,064	\$1,419	5.0%	81.0%	19.0%
\$250,000 - \$499,999	12	\$81,182	\$6,765	\$4,369	\$2,396	1.8%	64.6%	35.4%
\$500,000 - \$749,999	3	\$21,807	\$7,269	\$3,635	\$3,635	1.3%	50.0%	50.0%
\$750,000 - \$999,999	3	\$23,280	\$7,760	\$0	\$7,760	0.9%	0.0%	100.0%
>\$1,000,000	13	\$317,510	\$24,424	\$12,682	\$11,742	0.8%	51.9%	48.1%

[^]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)

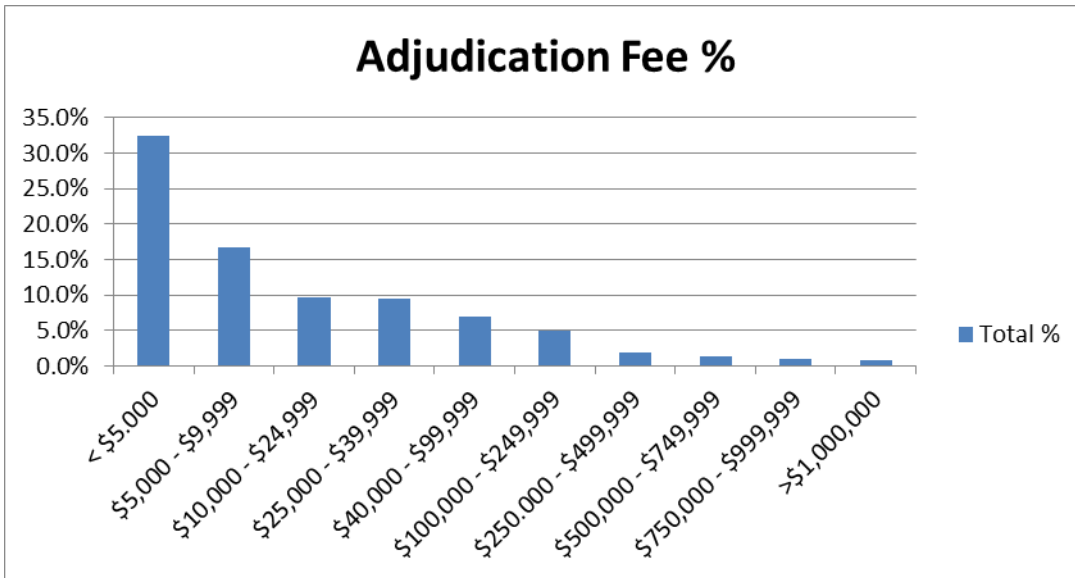
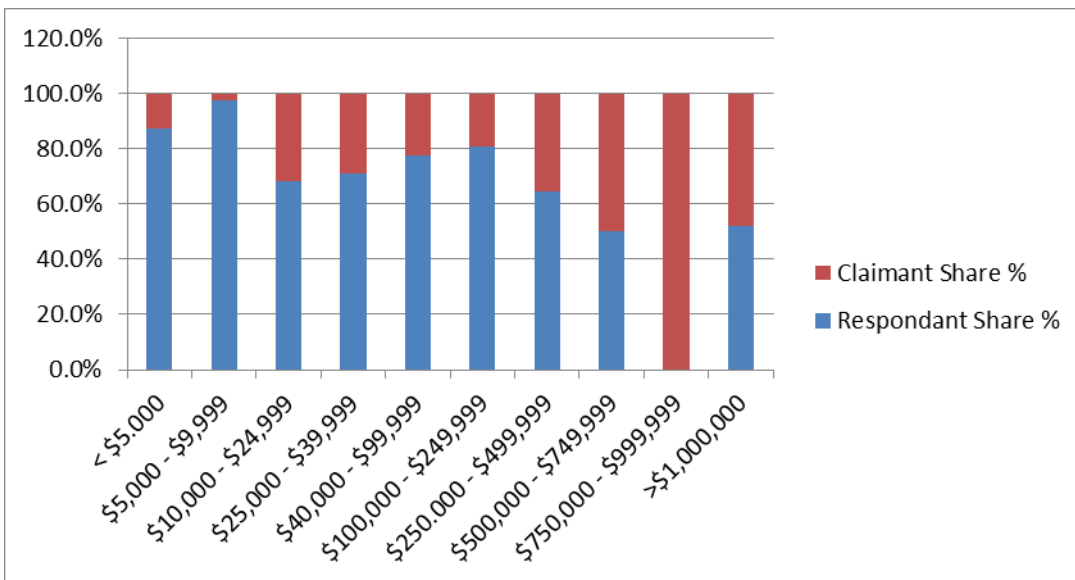


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



FEES

ANA fees by Claim Range

Claimed Amount (\$)	Number (Quarter) [^]	Total	Average	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	8	\$3,628	\$453	\$397	\$57	11.7%	87.5%	12.5%
\$5,000 - \$9,999	14	\$5,605	\$400	\$381	\$20	5.9%	95.1%	4.9%
\$10,000 - \$24,999	14	\$8,388	\$599	\$361	\$238	3.3%	60.3%	39.7%
\$25,000 - \$39,999	15	\$15,998	\$1,067	\$712	\$354	3.4%	66.8%	33.2%
\$40,000 - \$99,999	36	\$49,338	\$1,370	\$1,034	\$336	2.2%	75.5%	24.5%
\$100,000 - \$249,999	24	\$60,897	\$2,537	\$1,961	\$576	1.7%	77.3%	22.7%
\$250,000 - \$499,999	12	\$25,463	\$2,122	\$1,370	\$752	0.6%	64.6%	35.4%
\$500,000 - \$749,999	3	\$8,343	\$2,781	\$1,391	\$1,391	0.5%	50.0%	50.0%
\$750,000 - \$999,999	3	\$7,730	\$2,577	\$0	\$2,577	0.3%	0.0%	100.0%
>\$1,000,000	13	\$104,405	\$8,031	\$3,864	\$4,167	0.3%	48.1%	51.9%

[^]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)

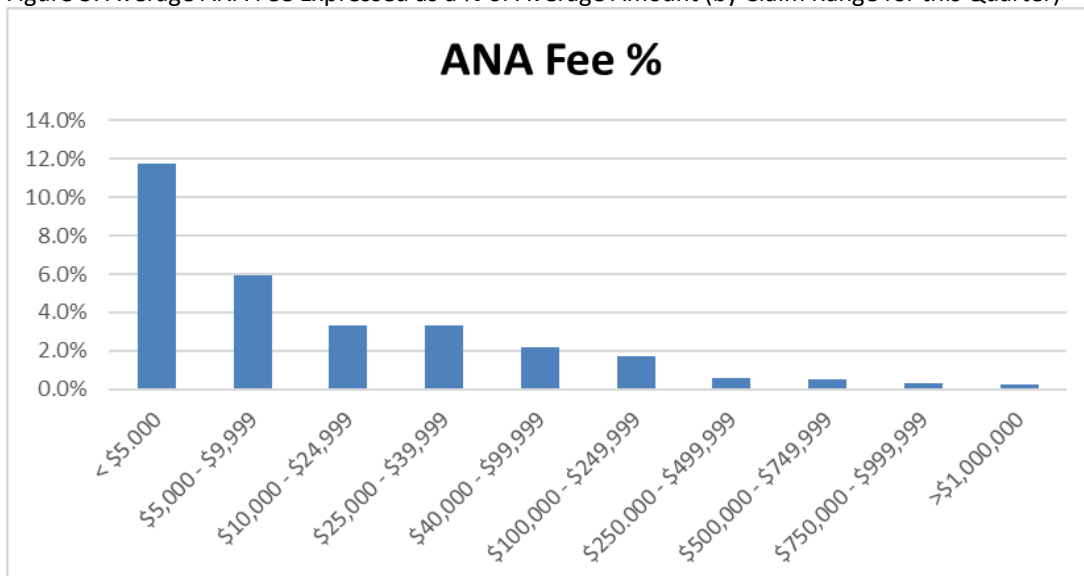
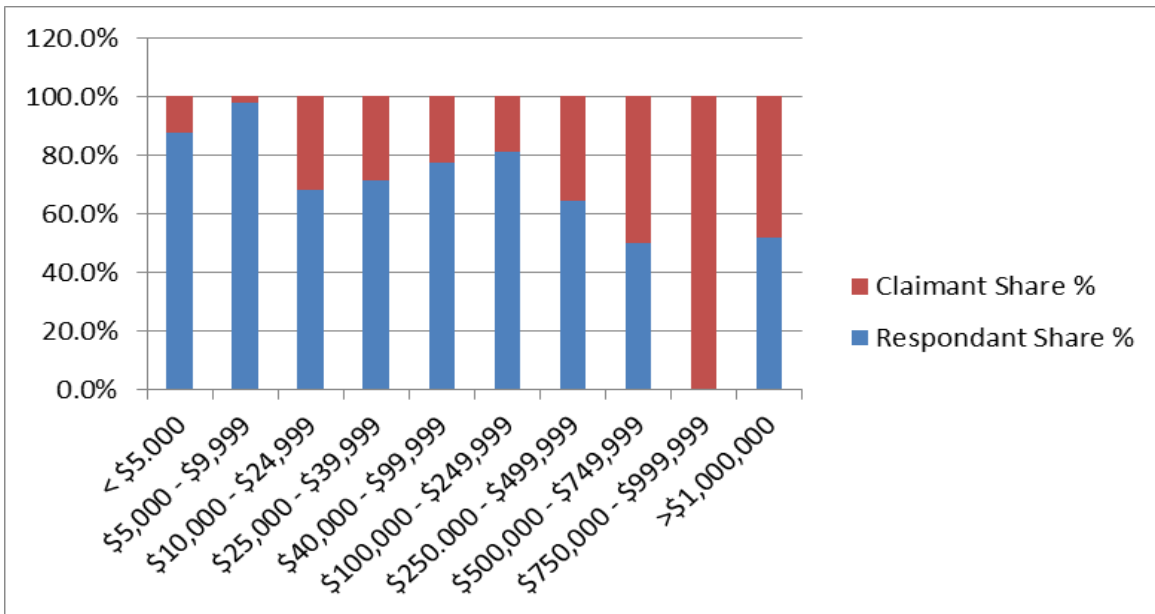


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees [^]	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$587,337	\$587,337	67.0%
ANA	\$289,796	\$289,796	33.0%
Total Fees	\$877,133	\$877,133	

[^]Determinations released

Total Adjudication Fees [^]	Quarter \$	YTD (\$)
Total Fees*	\$877,133	\$877,133
Average Total Fee	\$6,177	\$6,177
Max Total Fee	\$51,315	\$51,315
Min Total Fee	\$0	\$0

[^]Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$13,627,622	\$13,627,622
Total Value Adjudicated Amounts (Determinations Not Released)	\$3,906,087	\$3,906,087
Average Adjudicated Amounts (Determinations Not Released)	\$195,304	
Maximum Adjudicated Amounts (Determinations Not Released)	\$2,638,288	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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