



Fair
Trading

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 1

1 July 2020 to 30 September 2020



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	292	292
Determinations released	183	183
Determinations pending release	2	2
Determinations not released	107	107

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	116	116
S17(1)(a)(ii)	11	11
S17(1)(b)	165	165
Total Number	292	292

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	23	23
Settled Privately	35	35
Invalid Application	7	7
Timed Out	8	8
Jurisdiction	3	3
Not yet determined	30	30
Adjudicator conflict of Interest	0	0
Fees not paid	0	0
Other	1	1

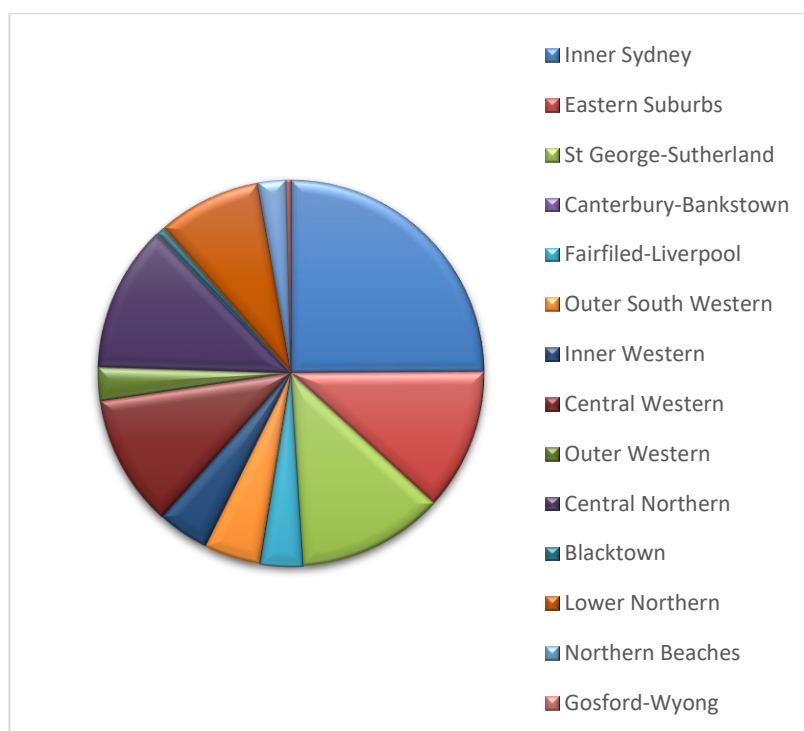
Applications by Region

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.

State-wide Distribution

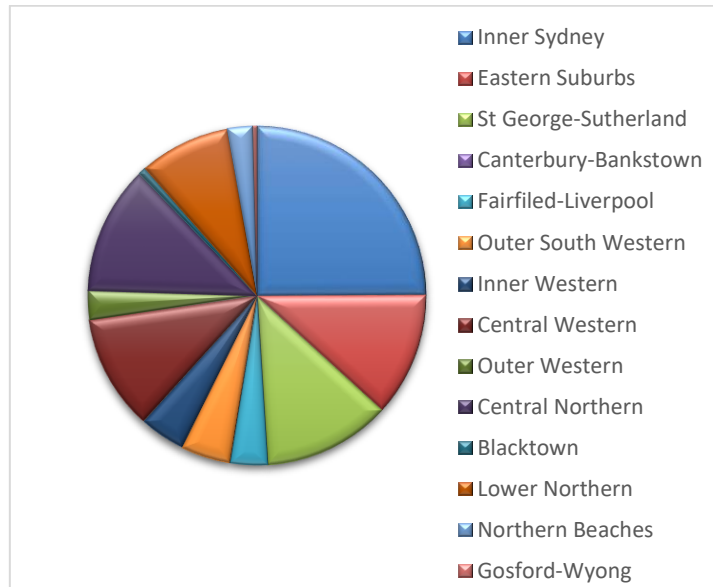
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	253	86.6%
Illawarra	9	3.1%
Hunter	14	4.8%
Richmond-Tweed	2	0.7%
Mid-North Coast	4	1.4%
Northern	2	0.7%
North Western	1	0.3%
Central West	2	0.7%
South Eastern	3	1.0%
Murrumbidgee	2	0.7%
Murray	0	0.0%
Far West	0	0.0%
Not Specified	0	0.0%

* See Sydney Distribution table



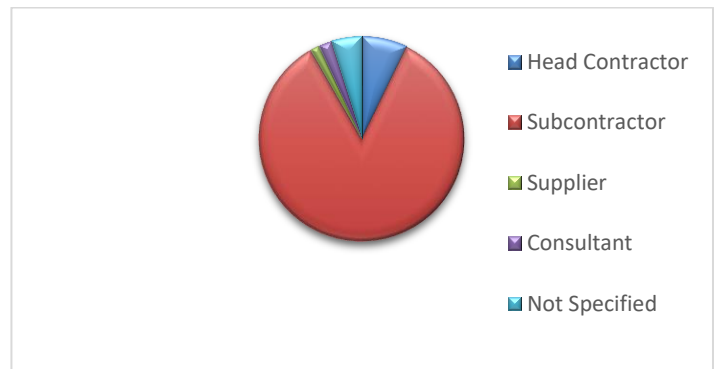
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	63	24.9%
Eastern Suburbs	30	11.9%
St George-Sutherland	31	12.3%
Canterbury-Bankstown	0	0.0%
Fairfield-Liverpool	9	3.6%
Outer South Western	12	4.7%
Inner Western	11	4.3%
Central Western	28	11.1%
Outer Western	7	2.8%
Central Northern	31	12.3%
Blacktown	2	0.8%
Lower Northern	22	8.7%
Northern Beaches	6	2.4%
Gosford-Wyong	1	0.4%



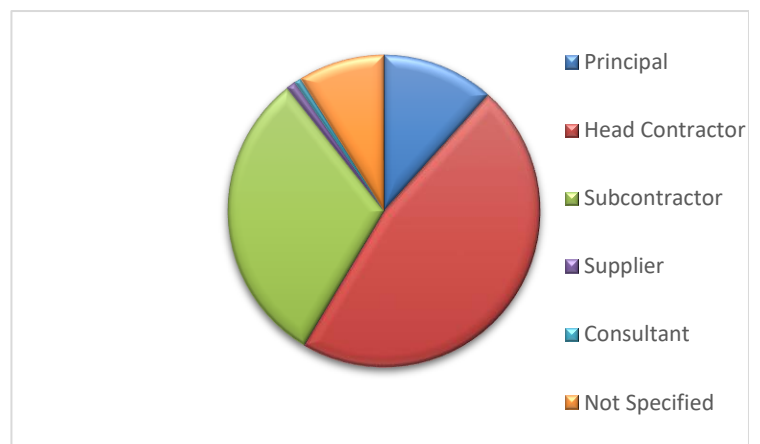
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	21	7.2%
Subcontractor	247	84.6%
Supplier	4	1.4%
Consultant	6	2.1%
Not Specified	14	4.8%
Total Number	292	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	34	11.6%
Head Contractor	137	46.9%
Subcontractor	90	30.8%
Supplier	3	1.0%
Consultant	2	0.7%
Not Specified	26	8.9%
Total Number	292	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$149,969,362	\$149,969,362
Total Value Claimed Amounts (Determinations released)	\$56,221,595	\$56,221,595
Total Value Adjudicated Amounts (Determinations Released)	\$23,078,628	\$23,078,628
Average Claimed Amount	\$515,359	
Average Adjudicated Amount (Determinations Released)	\$126,113	
Maximum Claim Amount	\$19,215,255	
Maximum Adjudicated Amount (Determinations Released)	\$8,306,323	
Minimum Claimed Amount	\$154	
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	61	\$88,662	\$1,453	60
\$5,000 - \$9,999	31	\$223,543	\$7,211	19
\$10,000 - \$24,999	21	\$326,572	\$15,551	16
\$25,000 - \$39,999	10	\$329,963	\$32,996	5
\$40,000 - \$99,999	28	\$1,826,456	\$65,231	14
\$100,000 - \$249,999	10	\$1,670,738	\$167,074	1
\$250,000 - \$499,999	7	\$2,467,044	\$352,435	1
\$500,000 - \$749,999	5	\$3,099,191	\$619,838	2
\$750,000 - \$999,999	2	\$1,859,494	\$929,747	0
≥\$1,000,000	8	\$44,329,932	\$5,541,242	0

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	85	\$103,088	\$1,213
\$5,000 - \$9,999	23	\$159,061	\$6,916
\$10,000 - \$24,999	19	\$310,637	\$16,349
\$25,000 - \$39,999	11	\$355,587	\$32,326
\$40,000 - \$99,999	25	\$1,687,779	\$67,511
\$100,000 - \$249,999	6	\$1,099,202	\$183,200
\$250,000 - \$499,999	7	\$2,587,837	\$369,691
\$500,000 - \$749,999	4	\$2,394,080	\$598,520
\$750,000 - \$999,999	0	\$0	\$0.00
≥\$1,000,000	3	\$14,381,357	\$4,793,786

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	85	48	56.5%
\$5,000 - \$9,999	23	16	69.6%
\$10,000 - \$24,999	19	8	42.1%
\$25,000 - \$39,999	11	5	45.5%
\$40,000 - \$99,999	25	10	40.0%
\$100,000 - \$249,999	6	1	16.7%
\$250,000 - \$499,999	7	3	42.9%
\$500,000 - \$749,999	4	2	50.0%
\$750,000 - \$999,999	0	0	\$0.00
≥\$1,000,000	3	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	61	\$63,776	\$1,046	\$871	\$175	71.9%	83.3%	16.7%
\$5,000 - \$9,999	31	\$38,364	\$1,238	\$763	\$475	17.2%	61.6%	38.4%
\$10,000 - \$24,999	21	\$40,192	\$1,914	\$1,448	\$466	12.3%	75.7%	24.3%
\$25,000 - \$39,999	10	\$28,024	\$2,802	\$1,722	\$1,081	8.5%	61.4%	38.6%
\$40,000 - \$99,999	28	\$127,627	\$4,558	\$3,604	\$954	7.0%	79.1%	20.9%
\$100,000 - \$249,999	10	\$81,020	\$8,102	\$4,181	\$3,921	4.8%	51.6%	48.4%
\$250,000 - \$499,999	7	\$113,365	\$16,195	\$13,727	\$2,468	4.6%	84.8%	15.2%
\$500,000 - \$749,999	5	\$39,572	\$7,914	\$4,318	\$3,596	1.3%	54.6%	45.4%
\$750,000 - \$999,999	2	\$56,260	\$28,130	\$21,098	\$7,033	3.0%	75.0%	25.0%
>\$1,000,000	8	\$214,576	\$26,822	\$17,043	\$9,779	0.5%	63.5%	36.5%

[^]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)

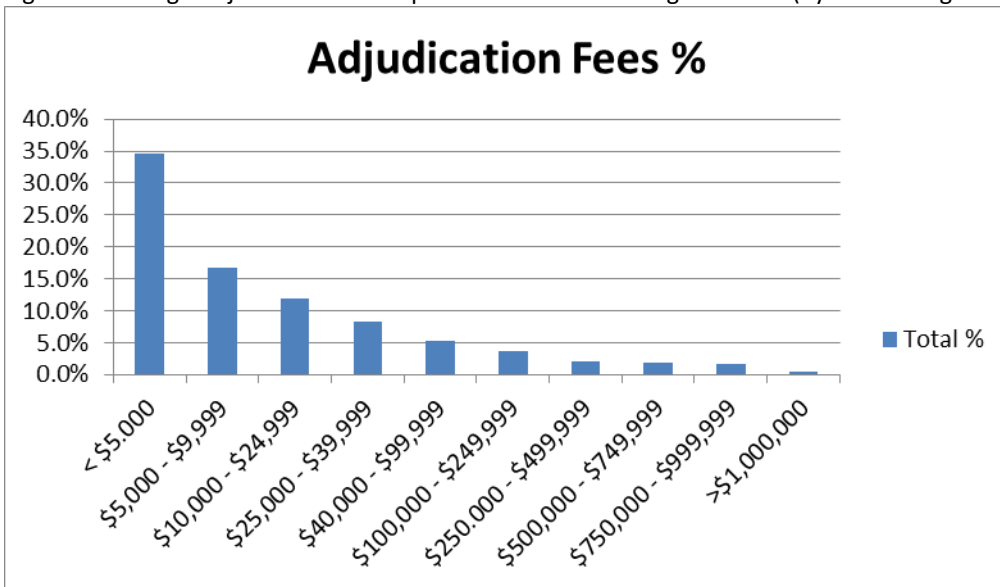
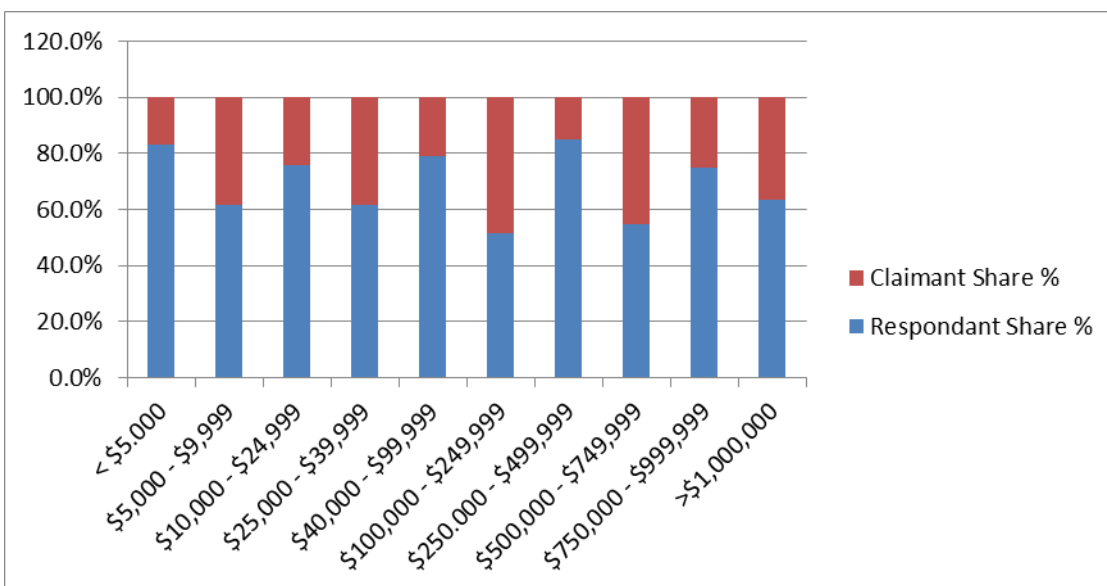


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	61	\$24,491	\$401	\$383	\$18	27.6%	95.4%	4.6%
\$5,000 - \$9,999	31	\$12,657	\$408	\$262	\$146	5.7%	64.2%	35.8%
\$10,000 - \$24,999	21	\$12,954	\$617	\$444	\$173	4.0%	72.0%	28.0%
\$25,000 - \$39,999	10	\$9,530	\$953	\$463	\$490	2.9%	48.6%	51.4%
\$40,000 - \$99,999	28	\$41,579	\$1,485	\$1,053	\$432	2.3%	70.9%	29.1%
\$100,000 - \$249,999	10	\$22,358	\$2,236	\$1,377	\$859	1.3%	61.6%	38.4%
\$250,000 - \$499,999	7	\$31,200	\$4,457	\$2,587	\$1,871	1.3%	58.0%	42.0%
\$500,000 - \$749,999	5	\$13,377	\$2,675	\$1,216	\$1,460	0.4%	45.4%	54.6%
\$750,000 - \$999,999	2	\$19,120	\$9,560	\$7,170	\$2,390	1.0%	75.0%	25.0%
>\$1,000,000	8	\$56,087	\$7,011	\$2,556	\$4,455	0.1%	36.5%	63.5%

[^]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)

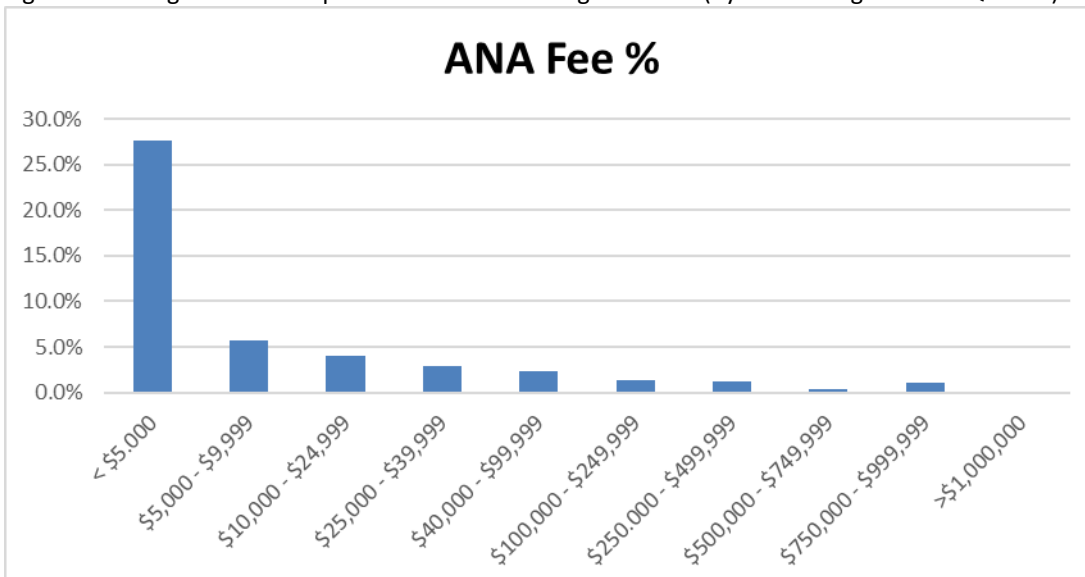
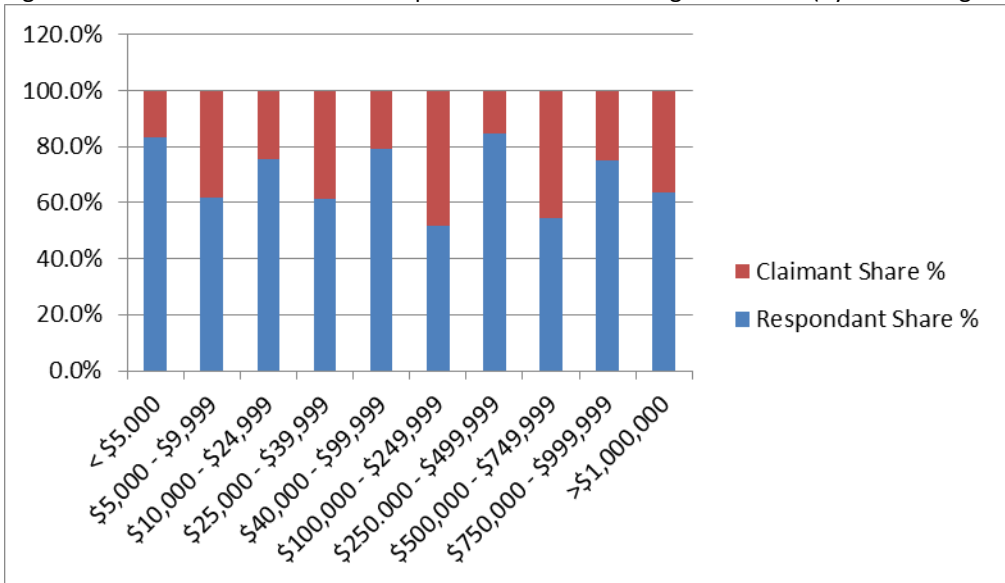


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees [^]	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$559,421	\$559,421	69.7%
ANA	\$243,354	\$243,354	30.3%
Total Fees	\$802,775	\$802,775	

[^]Determinations released

Total Adjudication Fees [^]	Quarter \$	YTD (\$)
Total Fees*	\$802,775	\$802,775
Average Total Fee	\$4,387	\$4,387
Max Total Fee	\$68,343	\$68,343
Min Total Fee	\$0	\$0

[^]Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$514,467	\$514,467
Total Value Adjudicated Amounts (Determinations Not Released)	\$21,143	\$21,143
Average Adjudicated Amounts (Determinations Not Released)	\$10,572	
Maximum Adjudicated Amounts (Determinations Not Released)	\$21,143	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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