

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 2

October to December 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	215	507
Determinations released	111	294
Determinations pending release	3	5
Determinations not released	101	208

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	114	230
S17(1)(a)(ii)	4	15
S17(1)(b)	97	262
Total Number	215	507

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	34	57
Settled Privately	13	48
Invalid Application	5	12
Timed Out	16	24
Jurisdiction	3	6
Not yet determined	33	63
Adjudicator conflict of Interest	0	0
Fees not paid	0	0
Other	0	1

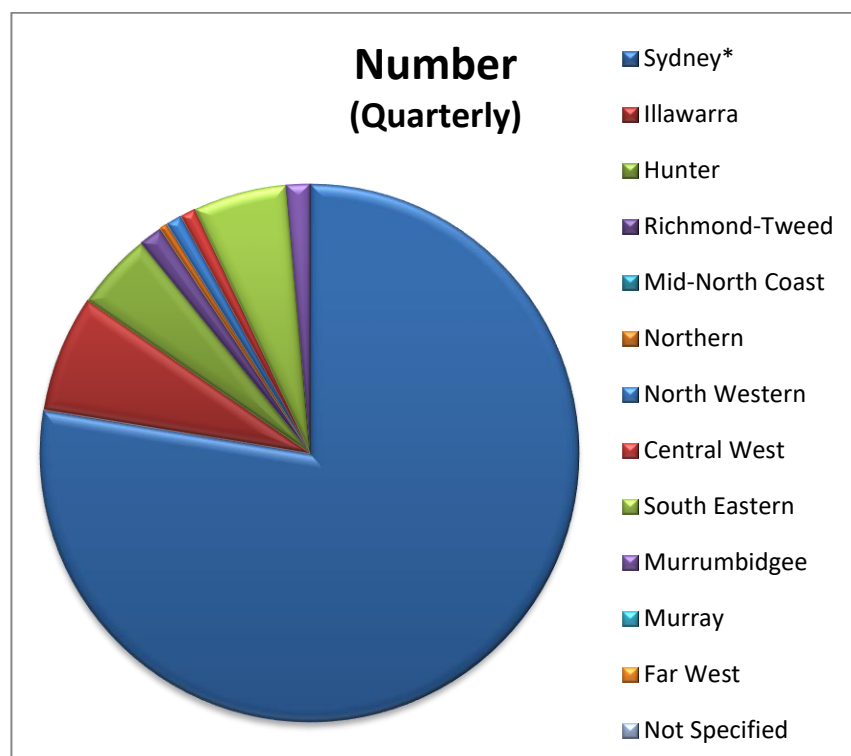
Applications by Region

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

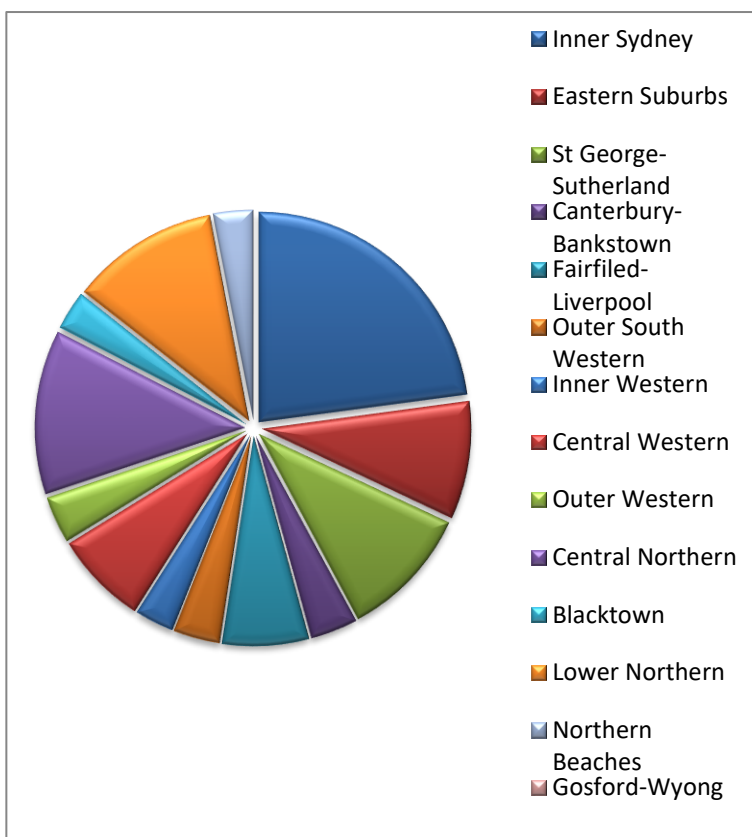
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	167	77.6%
Illawarra	15	7.0%
Hunter	10	7.9%
Richmond-Tweed	3	2.8%
Mid-North Coast	0	5.1%
Northern	1	2.8%
North Western	2	2.3%
Central West	2	5.6%
South Eastern	12	2.8%
Murrumbidgee	3	9.8%
Murray	0	2.3%
Far West	0	8.9%
Not Specified	0	0.0%

* See Sydney Distribution table



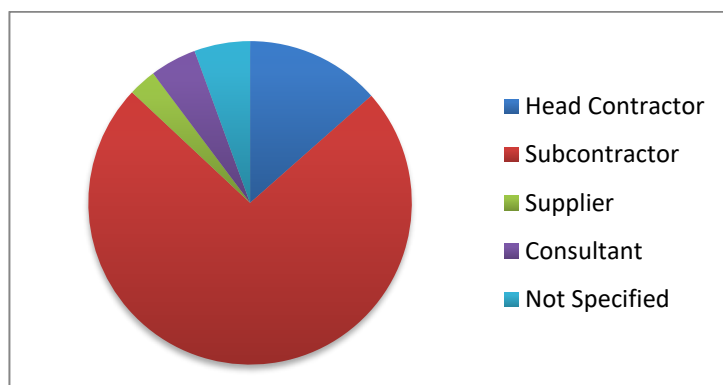
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	39	22.9%
Eastern Suburbs	15	9.0%
St George-Sutherland	17	10.2%
Canterbury-Bankstown	6	3.6%
Fairfield-Liverpool	11	6.6%
Outer South Western	6	3.6%
Inner Western	5	3.0%
Central Western	12	7.2%
Outer Western	6	3.6%
Central Northern	21	12.7%
Blacktown	5	3.0%
Lower Northern	19	11.4%
Northern Beaches	5	3.0%
Gosford-Wyong	0	0.0%



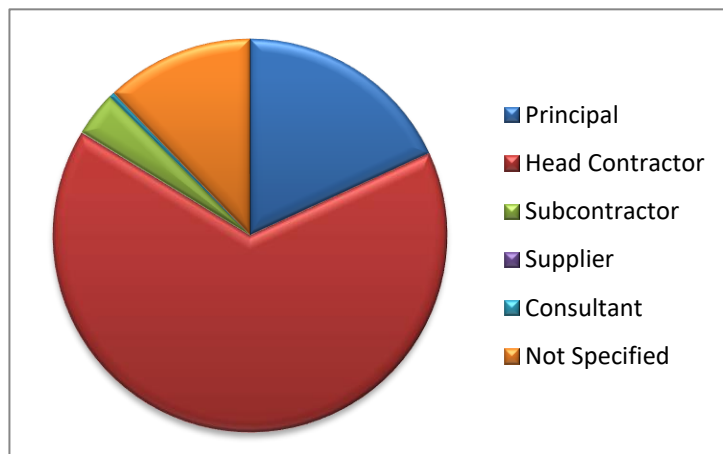
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	29	13.5%
Subcontractor	158	73.5%
Supplier	6	2.8%
Consultant	10	4.7%
Not Specified	12	5.6%
Total Number	215	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	39	18.1%
Head Contractor	141	65.6%
Subcontractor	8	3.7%
Supplier	0	0.0%
Consultant	1	0.5%
Not Specified	26	12.1%
Total Number	39	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$80,539,881	\$230,509,243
Total Value Claimed Amounts (Determinations released)	\$38,985,296	\$95,206,891
Total Value Adjudicated Amounts (Determinations Released)	\$11,190,589	\$34,269,217
Average Claimed Amount	\$374,604	
Average Adjudicated Amount (Determinations Released)	\$100,816	
Maximum Claim Amount	\$18,267,000	
Maximum Adjudicated Amount (Determinations Released)	\$2,357,756	
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	3	\$9,977	\$3,326	2
\$5,000 - \$9,999	14	\$110,391	\$7,885	9
\$10,000 - \$24,999	23	\$389,448	\$16,933	12
\$25,000 - \$39,999	16	\$505,383	\$31,586	4
\$40,000 - \$99,999	22	\$1,459,489	\$66,340	5
\$100,000 - \$249,999	13	\$2,152,734	\$165,595	5
\$250,000 - \$499,999	9	\$3,144,371	\$349,375	1
\$500,000 - \$749,999	5	\$2,840,705	\$568,141	1
\$750,000 - \$999,999	0	\$0.00	\$0.00	0
≥\$1,000,000	6	\$20,718,296	\$3,453,049	0

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	30	\$16,834	\$561
\$5,000 - \$9,999	12	\$89,285	\$7,440
\$10,000 - \$24,999	22	\$367,330	\$16,697
\$25,000 - \$39,999	11	\$361,211	\$32,837
\$40,000 - \$99,999	11	\$700,575	\$63,689
\$100,000 - \$249,999	16	\$2,351,031	\$146,939
\$250,000 - \$499,999	4	\$1,285,865	\$321,466
\$500,000 - \$749,999	2	\$1,156,111	\$578,056
\$750,000 - \$999,999	0	\$0.00	\$0.00
≥\$1,000,000	3	\$4,862,347	\$1,620,782

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	30	0	0.0%
\$5,000 - \$9,999	12	5	41.7%
\$10,000 - \$24,999	22	8	36.4%
\$25,000 - \$39,999	11	3	27.3%
\$40,000 - \$99,999	11	4	36.4%
\$100,000 - \$249,999	16	8	50.0%
\$250,000 - \$499,999	4	1	25.0%
\$500,000 - \$749,999	2	1	50.0%
\$750,000 - \$999,999	0	0	0.0%
≥\$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	3	\$3,569	\$1,190	\$837	\$353	35.8%	70.3%	29.7%
\$5,000 - \$9,999	14	\$18,277	\$1,306	\$962	\$344	16.6%	73.7%	26.3%
\$10,000 - \$24,999	23	\$44,473	\$1,934	\$1,309	\$625	11.4%	67.7%	32.3%
\$25,000 - \$39,999	16	\$50,589	\$3,162	\$2,222	\$939	10.0%	70.3%	29.7%
\$40,000 - \$99,999	22	\$107,383	\$4,881	\$3,314	\$1,567	7.4%	67.9%	32.1%
\$100,000 - \$249,999	13	\$112,812	\$8,678	\$4,717	\$3,961	5.2%	54.4%	45.6%
\$250,000 - \$499,999	9	\$90,678	\$10,075	\$5,299	\$4,776	2.9%	52.6%	47.4%
\$500,000 - \$749,999	5	\$86,976	\$17,395	\$14,758	\$2,637	3.1%	84.8%	15.2%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.00%	0.0%	0.0%
>\$1,000,000	6	\$125,079	\$20,847	\$17,297	\$3,550	0.6%	83.0%	17.0%

^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)

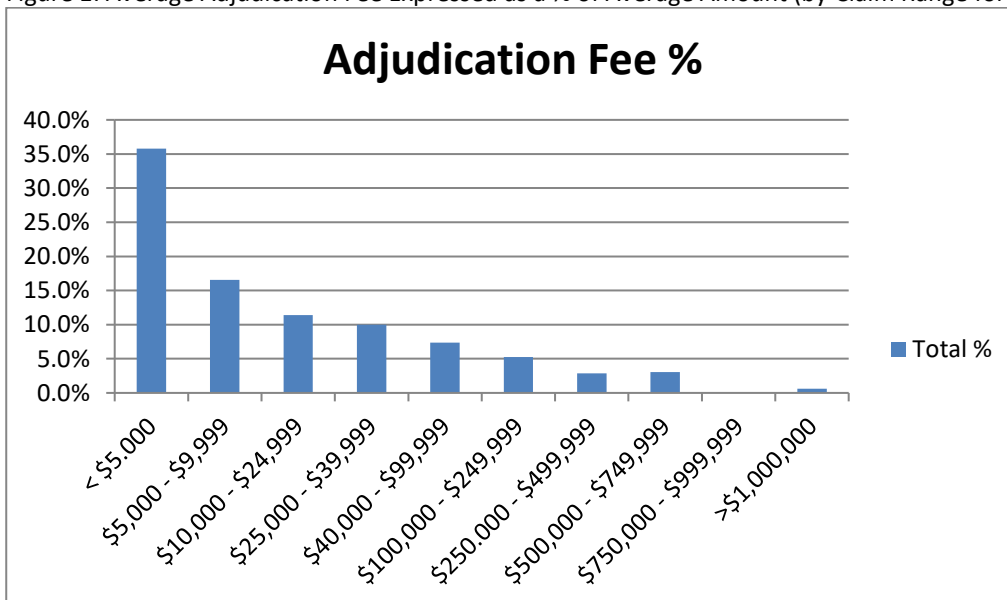
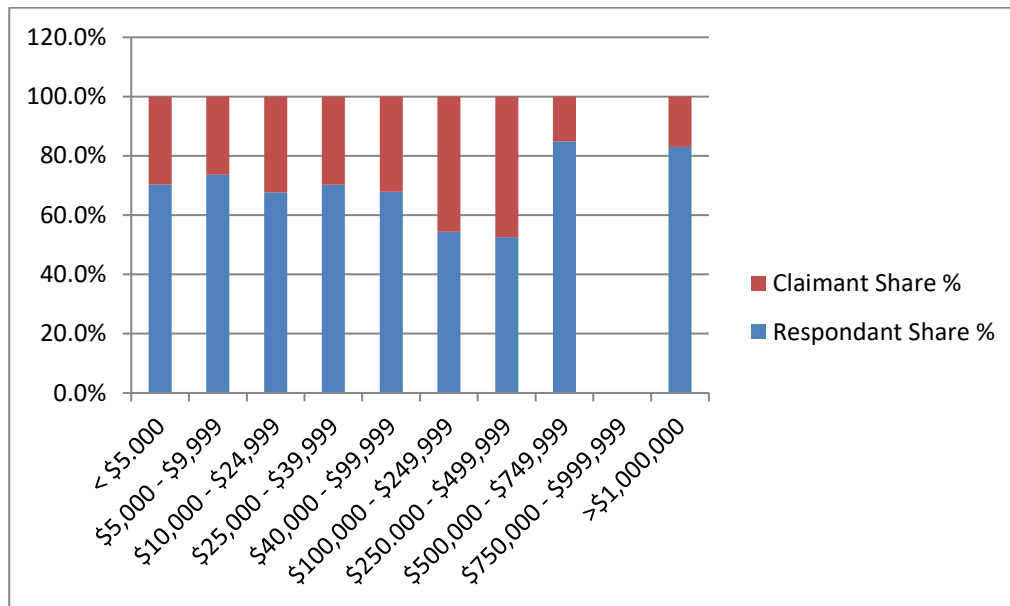


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	3	\$1,233	\$411	\$259	\$152	12.4%	63.0%	37.0%
\$5,000 - \$9,999	14	\$6,171	\$441	\$337	\$104	5.6%	76.4%	23.6%
\$10,000 - \$24,999	23	\$14,504	\$631	\$423	\$208	3.7%	67.1%	32.9%
\$25,000 - \$39,999	16	\$15,726	\$983	\$538	\$445	3.1%	54.8%	45.3%
\$40,000 - \$99,999	22	\$33,685	\$1,531	\$804	\$727	2.3%	52.5%	47.5%
\$100,000 - \$249,999	13	\$36,792	\$2,830	\$1,509	\$1,321	1.7%	53.3%	46.7%
\$250,000 - \$499,999	9	\$26,526	\$2,947	\$1,464	\$1,483	0.8%	49.7%	50.3%
\$500,000 - \$749,999	5	\$25,489	\$5,098	\$3,831	\$1,266	0.9%	75.2%	24.8%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.00%	0.00%	0.00%
> \$1,000,000	6	\$31,551	\$5,259	\$3,525	\$1,734	0.2%	67.0%	33.0%

[^]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)

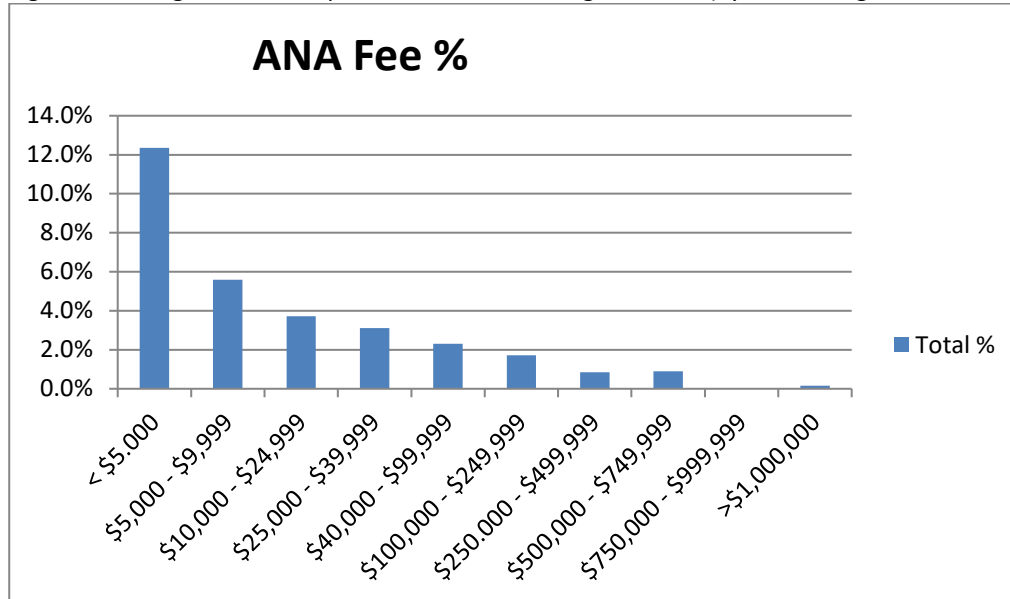
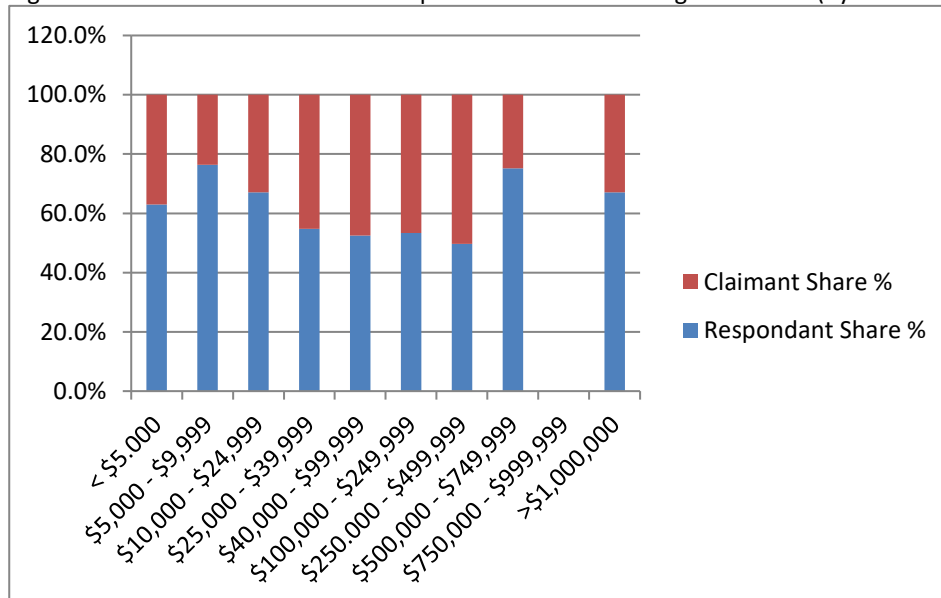


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees^	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$465,234	\$1,024,655	70.8%
ANA	\$191,676	\$435,029	29.2%
Total Fees	\$656,909	\$1,459,684	

^Determinations released

Total Adjudication Fees^	Quarter \$	YTD (\$)
Total Fees*	\$639,836	\$1,442,611
Average Total Fee	\$5,764	\$10,151
Max Total Fee	\$30,822	\$99,165
Min Total Fee	\$0	\$0

^Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$4,290,287	\$4,804,754
Total Value Adjudicated Amounts (Determinations Not Released)	\$836	\$21,979
Average Adjudicated Amounts (Determinations Not Released)	\$279	
Maximum Adjudicated Amounts (Determinations Not Released)	\$836	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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