



Finance  
& Services

# Building and Construction Industry Security of Payment Act 1999

## Adjudication Activity Statistics

Quarterly Report — No. 3

1 July 2011 to 31 Mar 2012



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Coverage of this Report: This progress report contains adjudication activity statistics for the period commencing on 01/07/2011 and ending on 31/03/2012.

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	YTD
Applications lodged	842
Determination released	544
Determination pending release	200
Application completed but not determined	98

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
s.17(1)(a)(i)	482
s.17(1)(a)(ii)	16
s.17(1)(b)	344
<b>Total Number</b>	<b>842</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

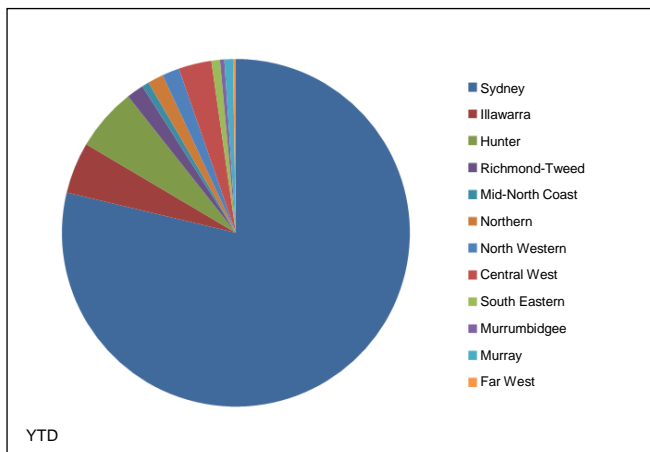


Table 2(a)

Region (State-wide)	YTD (% of Total)
Sydney*	592 (78.7%)
Illawarra	36 (4.8%)
Hunter	44 (5.9%)
Richmond-Tweed	12 (1.6%)
Mid-North Coast	5 (0.7%)
Northern	11 (1.5%)
North Western	12 (1.6%)
Central West	23 (3.1%)
South Eastern	6 (0.8%)
Murrumbidgee	3 (0.4%)
Murray	6 (0.8%)
Far West	2 (0.3%)
<b>Total Number</b>	<b>752 (100%)</b>

\* See 'Sydney Distribution' Table 2(b) below  
Note - Total number of responses: YTD = 752

### Sydney Distribution

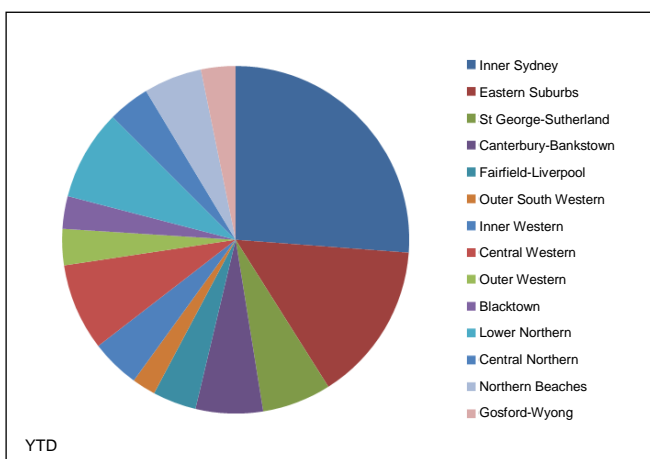


Table 2(b)

Region (Sydney)	YTD (% of Total)
Inner Sydney	155 (26.2%)
Eastern Suburbs	88 (14.9%)
St George-Sutherland	38 (6.4%)
Canterbury-Bankstown	37 (6.3%)
Fairfield-Liverpool	24 (4.1%)
Outer South Western	13 (2.2%)
Inner Western	27 (4.6%)
Central Western	48 (8.1%)
Outer Western	20 (3.4%)
Blacktown	18 (3.0%)
Lower Northern	50 (8.4%)
Central Northern	23 (3.9%)
Northern Beaches	32 (5.4%)
Gosford-Wyong	19 (3.2%)
<b>Total Number</b>	<b>592 (100%)</b>

## Application by Claimant Type

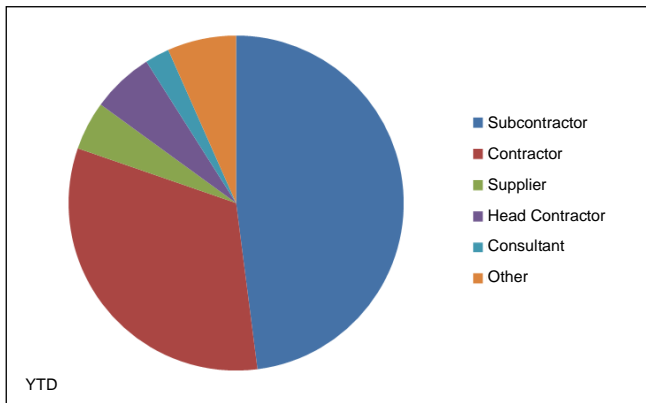


Table 3(a)

Claimant Distribution	YTD (% of Total)
Subcontractor	224 (48.0%)
Contractor	151 (32.3%)
Supplier	22 (4.7%)
Head Contractor	28 (6.0%)
Consultant	11 (2.4%)
Other	31 (6.6%)
<b>Total Number</b>	<b>467 (100%)</b>

Note - Total number of responses: YTD = 467

## Application by Respondent Type

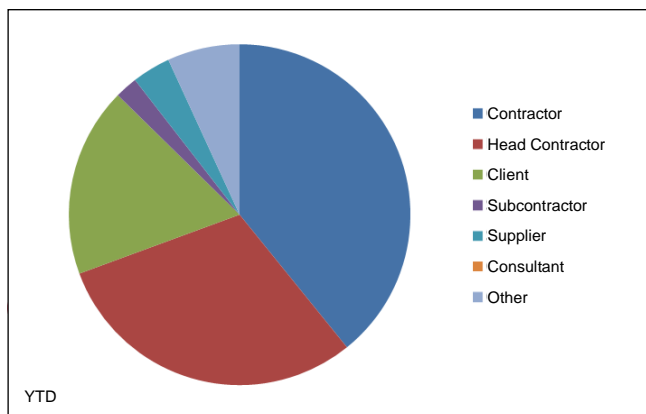


Table 3(b)

Respondent Distribution	YTD (% of Total)
Contractor	183 (39.2%)
Head Contractor	141 (30.2%)
Client	84 (18.0%)
Subcontractor	10 (2.1%)
Supplier	17 (3.6%)
Consultant	nil
Other	32 (6.9%)
<b>Total Number</b>	<b>467 (100%)</b>

Note - Total number of responses: YTD = 467

## CLAIMED AMOUNT

### Claimed Amount Statistics

Table 4

Claimed Amount Statistics	YTD (\$)
Total value of claimed amounts	187,573,368
Total value of claimed amounts (Determination released)	119,204,744
Av. claimed amount	222,771
Av. claimed amount (Determination released)	219,126
Max. claimed amount	20,681,622
Max. claimed amount (Determination released)	17,021,809
Min. claimed amount	420
Min. claimed amount (Determination released)	420

# DETERMINATIONS

## Claimed versus Adjudicated Amounts

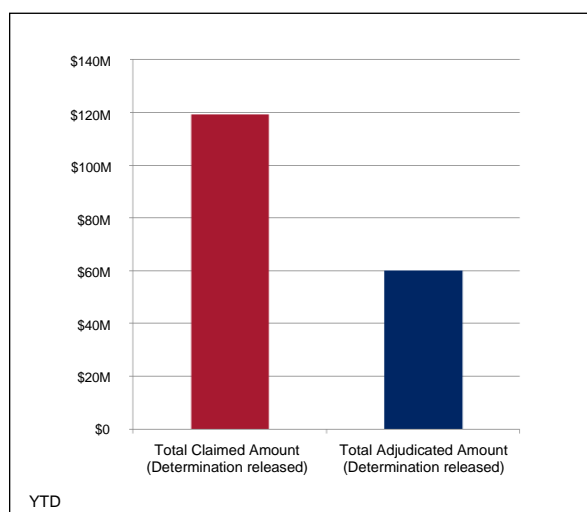


Table 5

Claimed v. Adjudicated Amounts <sup>†</sup>	YTD (\$)
Total value of claimed amounts*	119,204,744
Total value of adjudicated amounts	60,124,272

<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	69	2,618	2,371 (91%)	49 (71%)
5,000-9,999	61	7,357	6,570 (89%)	42 (69%)
10,000-24,999	111	15,919	14,732 (93%)	70 (63%)
25,000-39,999	66	32,415	28,253 (87%)	37 (56%)
40,000-99,999	86	66,804	53,160 (80%)	37 (43%)
100,000-249,999	76	159,470	121,112 (76%)	28 (37%)
250,000-499,999	30	358,365	193,660 (54%)	6 (20%)
500,000-749,999	17	584,337	168,946 (29%)	nil
750,000-999,999	6	924,850	553,667 (60%)	nil
≥ 1,000,000	22	3,207,742	1,372,085 (43%)	nil
<b>Total number</b>	<b>544</b>			<b>269 (49%)</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*	75	29 (39%)
5,000-9,999	62	22 (35%)
10,000-24,999	116	51 (44%)
25,000-39,999	64	34 (53%)
40,000-99,999	90	38 (42%)
100,000-249,999	70	30 (43%)
250,000-499,999	18	5 (28%)
500,000-749,999	6	1 (17%)
750,000-999,999	4	2 (50%)
≥ 1,000,000	9	3 (33%)
<b>Total number</b>	<b>514</b>	<b>215 (42%)</b>

<sup>†</sup> Determination released

\* Adjudicated amounts of \$nil not counted (n=30)

# ADJUDICATION FEES

## Adjudication fees by Claim Range

Table 8

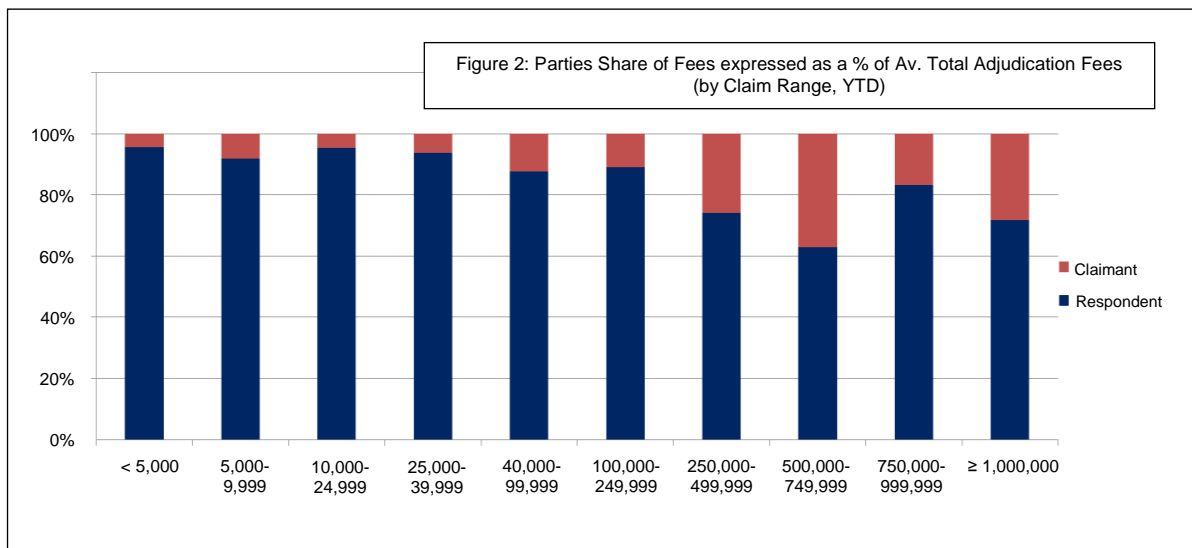
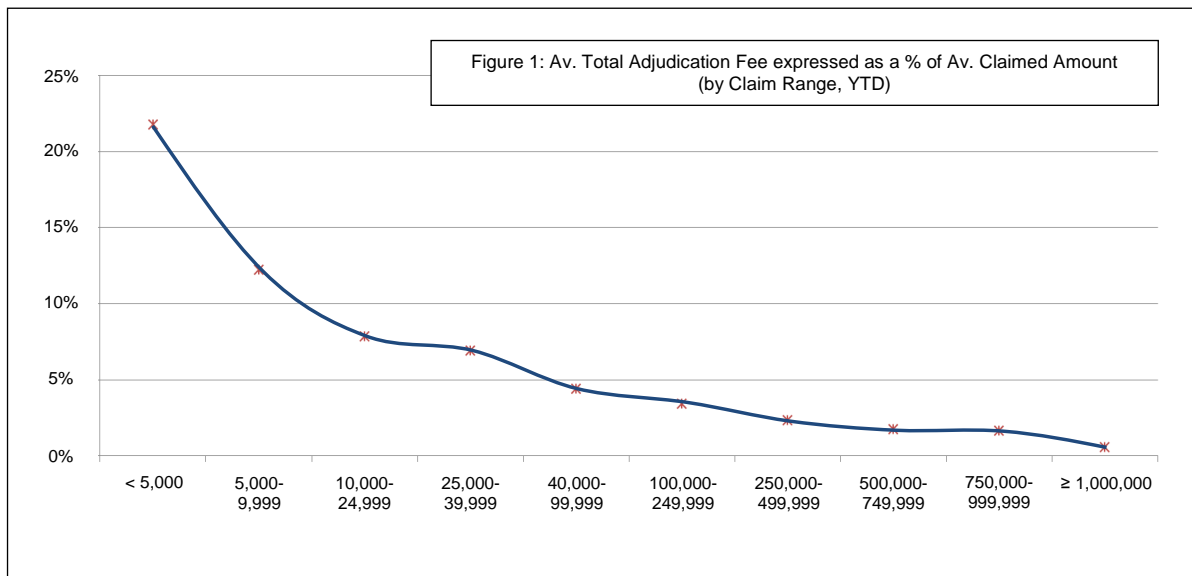
Claimed Amount (\$)	Number (YTD) <sup>†</sup>	Av. Fees (\$)			Av. Fees (%)		
		Total	Respondent Share	Claimant Share	Total <sup>1</sup>	Respondent Share <sup>2</sup>	Claimant Share <sup>3</sup>
<5,000	69	570	545	25	21.8%	95.7%	4.3%
5,000-9,999	61	900	827	74	12.2%	91.8%	8.2%
10,000-24,999	111	1,249	1,193	56	7.8%	95.5%	4.5%
25,000-39,999	66	2,244	2,101	143	6.9%	93.6%	6.4%
40,000-99,999	86	2,937	2,575	362	4.4%	87.7%	12.3%
100,000-249,999	76	5,445	4,854	591	3.4%	89.1%	10.9%
250,000-499,999	30	8,353	6,181	2,172	2.3%	74.0%	26.0%
500,000-749,999	17	10,399	6,545	3,854	1.8%	62.9%	37.1%
750,000-999,999	6	15,553	12,960	2,592	1.7%	83.3%	16.7%
≥ 1,000,000	22	19,132	13,740	5,392	0.6%	71.8%	28.2%
<b>Total number</b>	<b>544</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

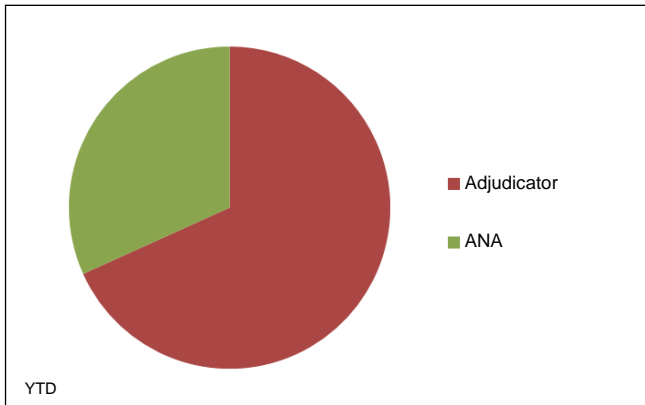


Table 9

Adjudicator v. ANA Fees <sup>†</sup>	YTD (\$) (% of Total Fees)
Adjudicator	1,357,672 (68.3%)
ANA	631,309 (31.7%)
<b>Total adjudication fee</b>	<b>1,988,981</b>

<sup>†</sup> Determination released

## Adjudication Fees Statistics

Table 10

Adjudication Fee Statistics <sup>†</sup>	YTD (\$)
Total adjudication fees*	1,988,981
Av. total adjudication fee	3,656
Max. total adjudication fee	49,529
Min. total adjudication fee	nil

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