



Fair
Trading

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 3

1 January 2020 to 31 March 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	235	762
Determinations released	118	402
Determinations pending release	16	43
Determinations not release	131	347

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	113	410
S17(1)(a)(ii)	13	23
S17(1)(b)	109	329
Total Number	235	762

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	16	40
Settled Privately	24	87
Invalid Application	11	48
Timed Out	10	24
Jurisdiction	21	23
Not yet determined	0	19
Adjudicator conflict of Interest	0	0
Fees not paid	0	1
Other	0	7

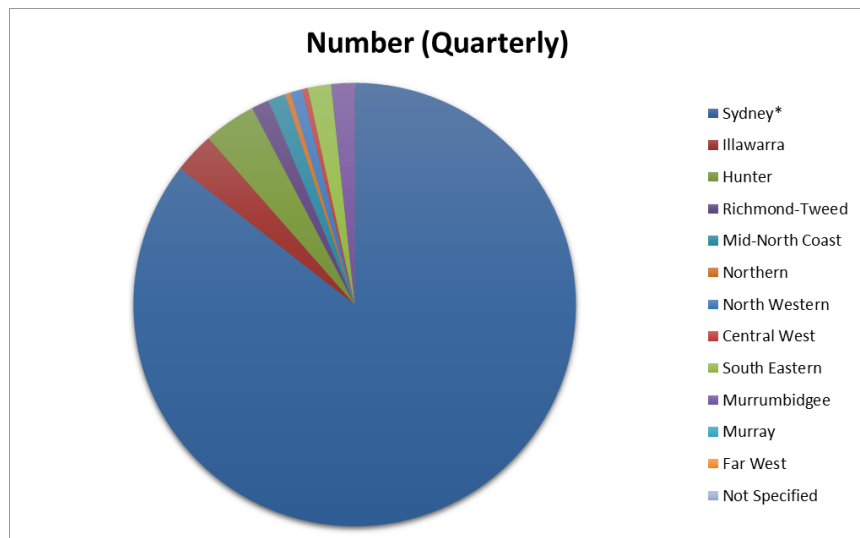
Applications by Region

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

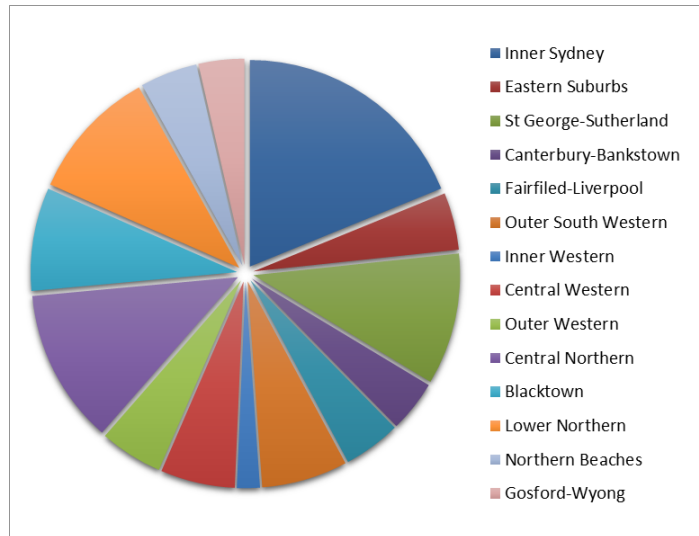
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	201	85.5%
Illawarra	7	3.0%
Hunter	9	3.8%
Richmond-Tweed	3	1.3%
Mid-North Coast	3	1.3%
Northern	1	0.4%
North Western	2	0.9%
Central West	1	0.4%
South Eastern	4	1.7%
Murrumbidgee	4	1.7%
Murray	0	0.0%
Far West	0	0.0%
Not Specified	0	0.0%

* See Sydney Distribution table



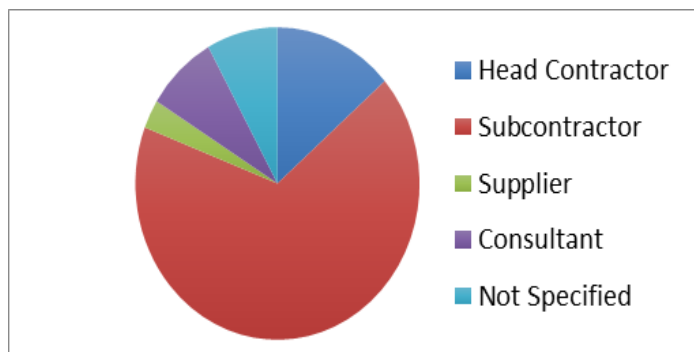
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	53	26.4%
Eastern Suburbs	20	10.0%
St George-Sutherland	22	10.9%
Canterbury-Bankstown	5	2.5%
Fairfield-Liverpool	13	6.5%
Outer South Western	7	3.5%
Inner Western	7	3.5%
Central Western	11	5.5%
Outer Western	10	5.0%
Central Northern	17	8.5%
Blacktown	7	3.5%
Lower Northern	13	6.5%
Northern Beaches	12	6.0%
Gosford-Wyong	4	2.0%



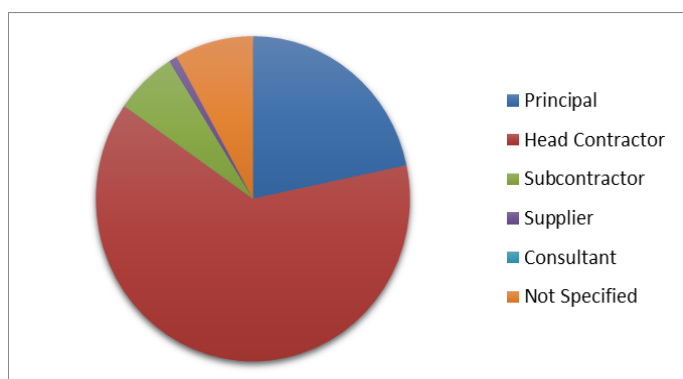
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	32	13.6%
Subcontractor	158	67.2%
Supplier	7	3.0%
Consultant	19	8.1%
Not Specified	19	8.1%
Total Number	235	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	51	21.7%
Head Contractor	148	63.0%
Subcontractor	15	6.4%
Supplier	2	0.9%
Consultant	0	0.0%
Not Specified	19	8.1%
Total Number	235	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$113,710,534	\$369,995,343
Total Value Claimed Amounts (Determinations released)	\$46,071,978	\$169,039,804
Total Value Adjudicated Amounts (Determinations Released)	\$24,380,354	\$79,152,745
Average Claimed Amount	\$483,875	
Average Adjudicated Amount (Determinations Released)	\$212,003	
Maximum Claim Amount	\$20,312,130	
Maximum Adjudicated Amount (Determinations Released)	\$7,562,776	
Minimum Claimed Amount	\$1,475	
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	5	\$10,995	\$2,199	3
\$5,000 - \$9,999	15	\$112,108	\$7,474	11
\$10,000 - \$24,999	15	\$236,038	\$15,736	10
\$25,000 - \$39,999	13	\$410,791	\$31,599	6
\$40,000 - \$99,999	26	\$1,614,020	\$62,078	15
\$100,000 - \$249,999	22	\$3,723,573	\$169,253	6
\$250,000 - \$499,999	5	\$1,943,679	\$388,736	0
\$500,000 - \$749,999	3	\$1,745,781	\$581,927	0
\$750,000 - \$999,999	5	\$4,563,132	\$912,626	2
≥\$1,000,000	9	\$46,071,978	\$5,119,109	2

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	25	\$14,745	\$590
\$5,000 - \$9,999	16	\$118,686	\$7,418
\$10,000 - \$24,999	15	\$239,265	\$15,951
\$25,000 - \$39,999	9	\$287,236	\$31,915
\$40,000 - \$99,999	22	\$1,385,974	\$62,999
\$100,000 - \$249,999	14	\$2,239,115	\$159,937
\$250,000 - \$499,999	5	\$1,635,662	\$327,132
\$500,000 - \$749,999	0	\$0.00	\$0.00
\$750,000 - \$999,999	2	\$1,833,231	\$916,615
≥\$1,000,000	7	\$16,626,438	\$2,375,205

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	25	0	0.0%
\$5,000 - \$9,999	16	8	50.0%
\$10,000 - \$24,999	15	5	33.3%
\$25,000 - \$39,999	9	2	22.2%
\$40,000 - \$99,999	22	9	40.9%
\$100,000 - \$249,999	14	7	50.0%
\$250,000 - \$499,999	5	1	20.0%
\$500,000 - \$749,999	0	0	0.00%
\$750,000 - \$999,999	2	1	50.0%
≥\$1,000,000	7	2	28.6%

^ 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	5	\$3,817	\$763	\$663	\$101	34.7%	86.8%	13.2%
\$5,000 - \$9,999	15	\$18,832	\$1,255	\$924	\$331	16.8%	73.6%	26.4%
\$10,000 - \$24,999	15	\$28,042	\$1,869	\$1,534	\$335	11.9%	82.1%	17.9%
\$25,000 - \$39,999	13	\$34,148	\$2,627	\$2,152	\$475	8.3%	81.9%	18.1%
\$40,000 - \$99,999	26	\$84,481	\$3,249	\$2,198	\$1,051	5.2%	67.7%	32.3%
\$100,000 - \$249,999	22	\$134,458	\$6,112	\$3,664	\$2,447	3.6%	60.0%	40.0%
\$250,000 - \$499,999	5	\$39,643	\$7,929	\$3,108	\$4,821	2.0%	39.2%	60.8%
\$500,000 - \$749,999	3	\$31,889	\$10,630	\$7,086	\$3,543	1.8%	66.7%	33.3%
\$750,000 - \$999,999	5	\$74,979	\$14,996	\$11,217	\$3,779	1.6%	74.8%	25.2%
>\$1,000,000	9	\$227,519	\$25,280	\$20,926	\$4,354	0.5%	82.8%	17.2%

[^]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)

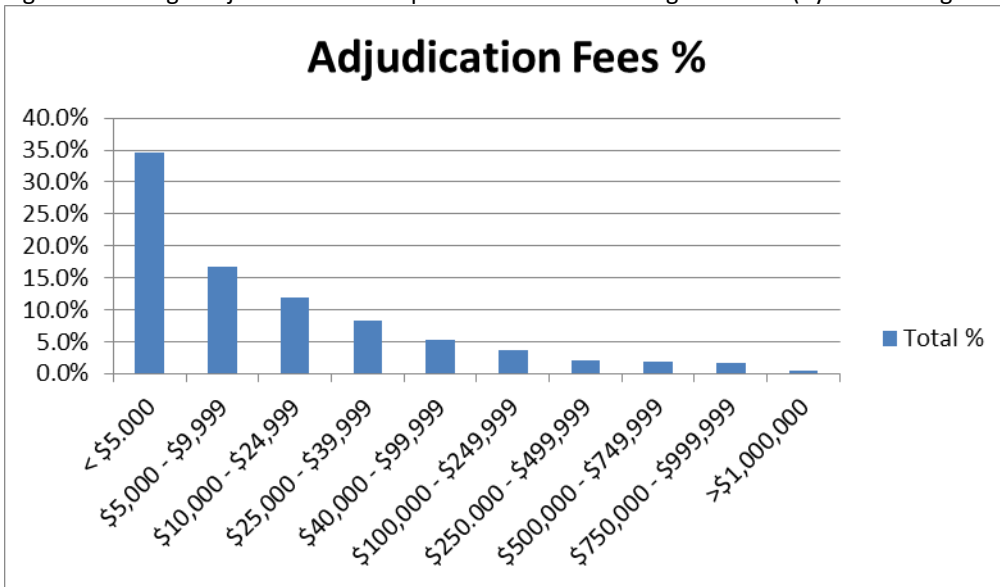
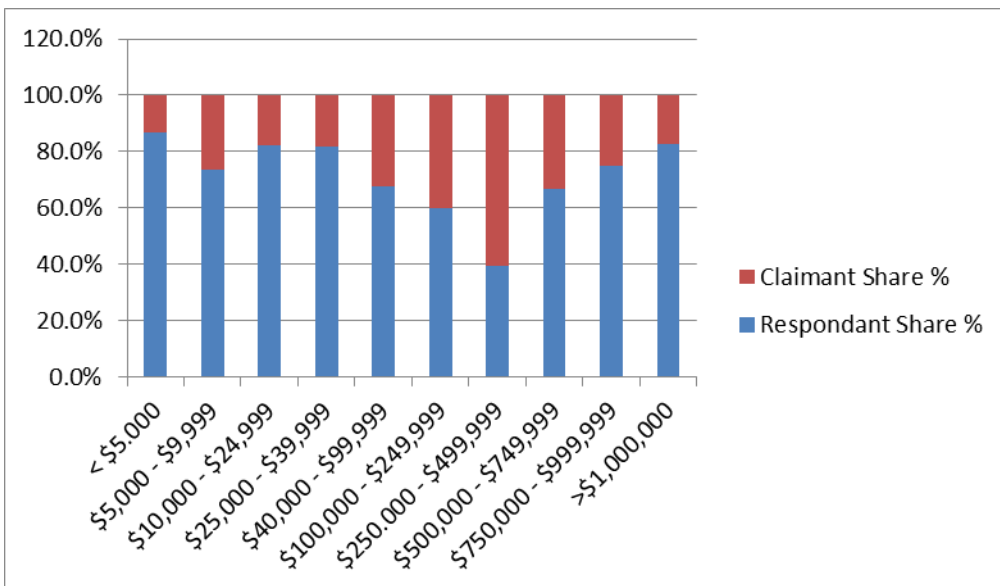


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	5	\$1,309	\$262	\$192	\$70	11.9%	73.3%	26.7%
\$5,000 - \$9,999	15	\$6,461	\$431	\$256	\$175	47.6%	59.5%	40.5%
\$10,000 - \$24,999	15	\$10,148	\$677	\$527	\$149	4.3%	77.9%	22.1%
\$25,000 - \$39,999	13	\$11,678	\$898	\$715	\$183	2.8%	79.6%	20.4%
\$40,000 - \$99,999	26	\$27,332	\$1,051	\$664	\$388	1.7%	63.1%	36.9%
\$100,000 - \$249,999	22	\$38,656	\$1,757	\$784	\$974	1.0%	44.6%	55.4%
\$250,000 - \$499,999	5	\$11,507	\$2,301	\$480	\$1,821	0.6%	20.9%	79.1%
\$500,000 - \$749,999	3	\$11,561	\$3,854	\$2,569	\$1,285	0.7%	66.7%	33.3%
\$750,000 - \$999,999	5	\$25,066	\$5,013	\$3,271	\$1,742	0.5%	65.2%	34.8%
>\$1,000,000	9	\$63,763	\$7,085	\$4,365	\$2,720	0.1%	61.6%	38.4%

[^]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)

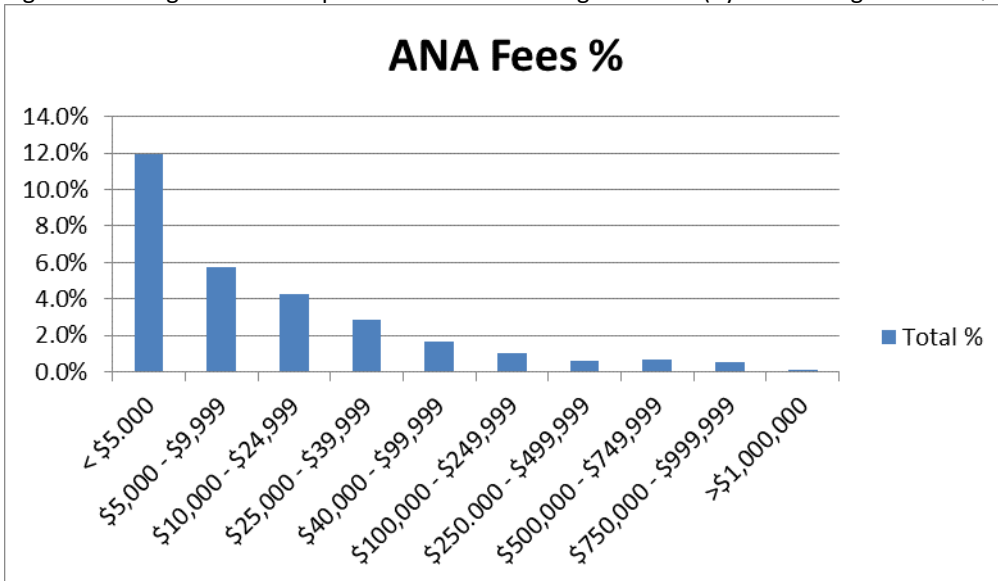
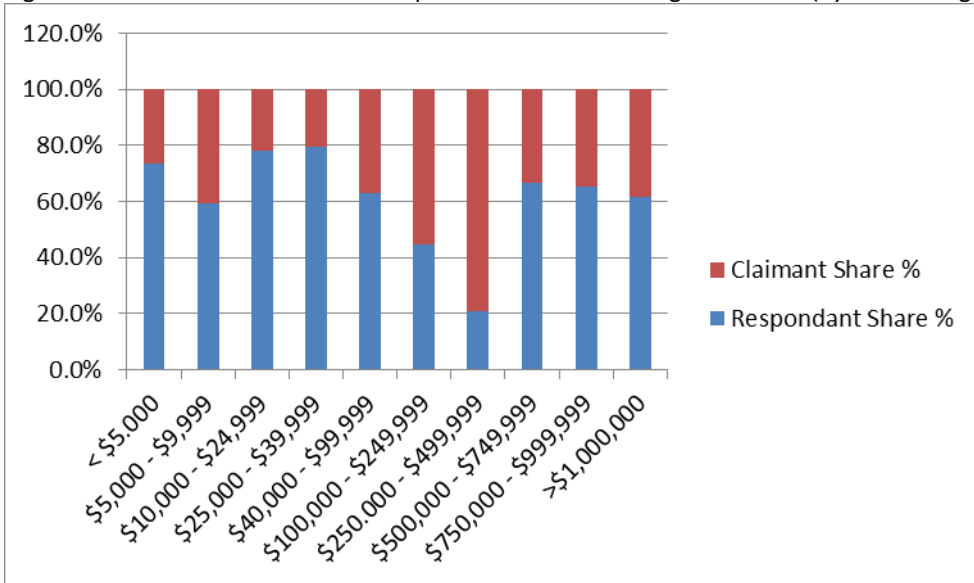


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees^	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$470,325	\$1,806,397	69.4%
ANA	\$207,482	\$787,362	30.6%
Total Fees	\$677,807	\$2,593,759	

^Determinations released

Total Adjudication Fees^	Quarter \$	YTD (\$)
Total Fees*	\$677,807	\$2,593,759
Average Total Fee	\$5,744	\$19,068
Max Total Fee	\$54,538	\$153,362
Min Total Fee	\$0	\$0

^Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$2,741,270	\$16,633,592
Total Value Adjudicated Amounts (Determinations Not Released)	\$1,011,756	\$2,745,847
Average Adjudicated Amounts (Determinations Not Released)	\$67,450	
Maximum Adjudicated Amounts (Determinations Not Released)	\$430,990	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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