



Fair
Trading

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 4

1 April 2020 to 30 June 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	289	1051
Determinations released	140	542
Determinations pending release	19	62
Determinations not released	130	477

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	170	580
S17(1)(a)(ii)	8	31
S17(1)(b)	111	440
Total Number	289	1051

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	22	62
Settled Privately	31	118
Invalid Application	8	56
Timed Out	21	45
Jurisdiction	15	38
Not yet determined	52	71
Adjudicator conflict of Interest	0	0
Fees not paid	3	4
Other	0	7

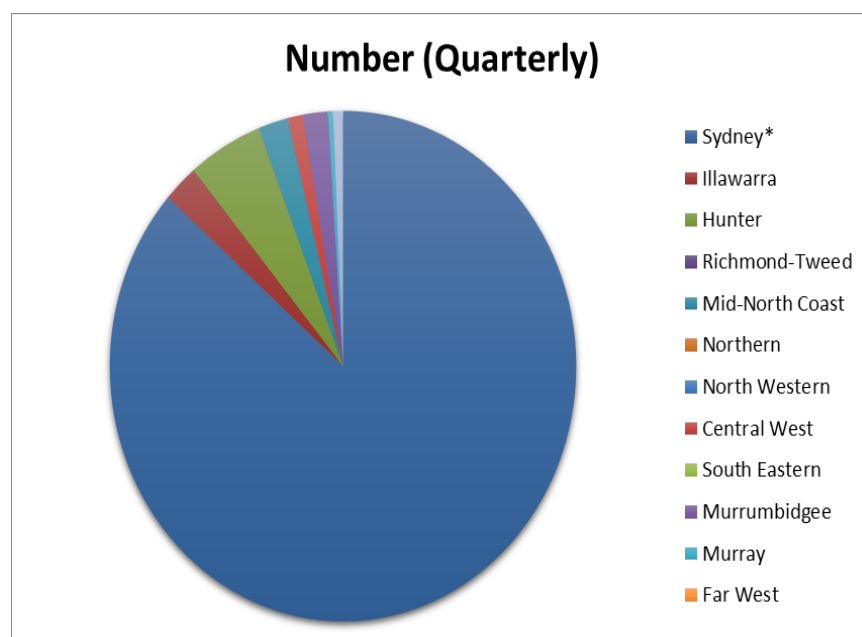
Applications by Region

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

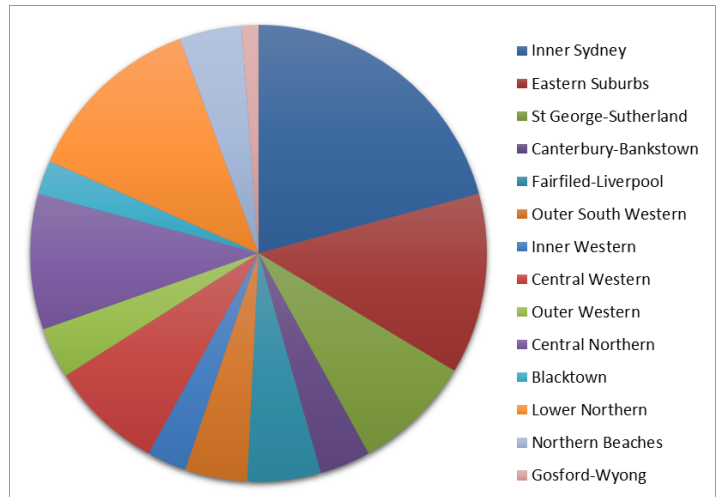
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	250	86.5%
Illawarra	7	2.4%
Hunter	15	5.2%
Richmond-Tweed	0	0.0%
Mid-North Coast	6	2.1%
Northern	0	0.0%
North Western	0	0.0%
Central West	3	1.0%
South Eastern	0	0.0%
Murrumbidgee	5	1.7%
Murray	1	0.3%
Far West	0	0.0%
Not Specified	2	0.7%

* See Sydney Distribution table



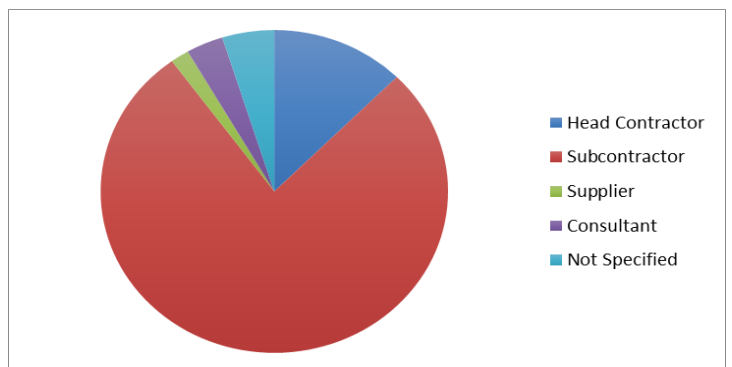
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	52	20.8%
Eastern Suburbs	32	12.8%
St George-Sutherland	21	8.4%
Canterbury-Bankstown	9	3.6%
Fairfield-Liverpool	13	5.2%
Outer South Western	11	4.4%
Inner Western	7	2.8%
Central Western	20	8.0%
Outer Western	9	3.6%
Central Northern	24	9.6%
Blacktown	6	2.4%
Lower Northern	32	12.8%
Northern Beaches	11	4.4%
Gosford-Wyong	3	1.2%



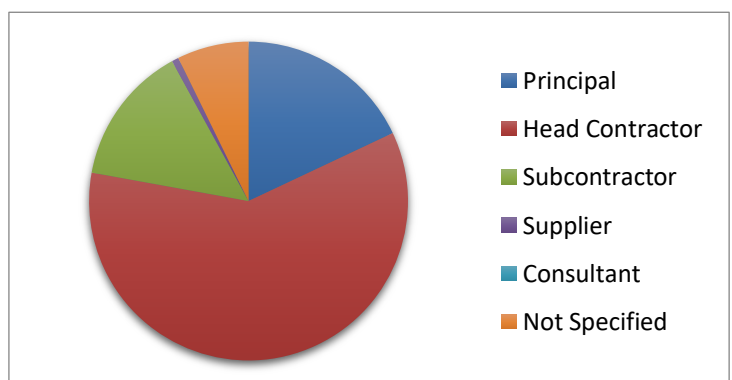
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	36	12.5%
Subcontractor	224	77.5%
Supplier	5	1.7%
Consultant	10	3.5%
Not Specified	14	4.8%
Total Number	289	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	52	18.0%
Head Contractor	173	59.9%
Subcontractor	41	14.2%
Supplier	2	0.7%
Consultant	0	0.0%
Not Specified	21	7.3%
Total Number	289	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$224,570,751	\$594,566,096
Total Value Claimed Amounts (Determinations released)	\$128,085,760	\$297,125,564
Total Value Adjudicated Amounts (Determinations Released)	\$57,041,752	\$136,194,497
Average Claimed Amount	\$777,061	
Average Adjudicated Amount (Determinations Released)	\$428,885	
Maximum Claim Amount	\$40,564,377	
Maximum Adjudicated Amount (Determinations Released)	\$25,246,170	
Minimum Claimed Amount	\$239	
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	14	\$32,063	\$2,290	0
\$5,000 - \$9,999	15	\$7,404	\$494	0
\$10,000 - \$24,999	22	\$394,821	\$17,946	2
\$25,000 - \$39,999	10	\$322,282	\$32,228	2
\$40,000 - \$99,999	27	\$1,687,486	\$62,499	1
\$100,000 - \$249,999	21	\$3,347,199	\$159,390	0
\$250,000 - \$499,999	9	\$3,336,434	\$370,715	1
\$500,000 - \$749,999	5	\$3,163,833	\$632,767	0
\$750,000 - \$999,999	2	\$1,681,532	\$840,766	0
≥\$1,000,000	15	\$54,281,352	\$3,618,757	0

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	38	\$31,297	\$824
\$5,000 - \$9,999	14	\$105,679	\$7,548
\$10,000 - \$24,999	24	\$421,458	\$17,561
\$25,000 - \$39,999	6	\$187,105	\$31,184
\$40,000 - \$99,999	18	\$1,079,770	\$59,987
\$100,000 - \$249,999	15	\$2,496,031	\$166,402
\$250,000 - \$499,999	5	\$1,744,020	\$348,804
\$500,000 - \$749,999	3	\$1,803,753	\$601,251
\$750,000 - \$999,999	2	\$1,652,872	\$826,436
≥\$1,000,000	8	\$47,519,767	\$5,939,971

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	38	6	15.8%
\$5,000 - \$9,999	14	6	42.9%
\$10,000 - \$24,999	24	11	45.8%
\$25,000 - \$39,999	6	2	33.3%
\$40,000 - \$99,999	18	4	22.2%
\$100,000 - \$249,999	15	5	33.3%
\$250,000 - \$499,999	5	3	60.0%
\$500,000 - \$749,999	3	0	0.0%
\$750,000 - \$999,999	2	0	0.0%
≥\$1,000,000	8	1	12.5%

^ 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	14	\$13,874	\$991	\$632	\$360	43.3%	63.7%	36.3%
\$5,000 - \$9,999	15	\$17,864	\$1,191	\$901	\$290	15.6%	75.7%	24.3%
\$10,000 - \$24,999	22	\$44,129	\$2,006	\$1,316	\$689	11.2%	65.6%	34.4%
\$25,000 - \$39,999	10	\$28,996	\$2,900	\$1,823	\$1,077	9.0%	62.9%	37.1%
\$40,000 - \$99,999	27	\$122,760	\$4,547	\$2,533	\$2,014	7.3%	55.7%	44.3%
\$100,000 - \$249,999	21	\$132,353	\$6,303	\$3,349	\$2,954	4.0%	53.1%	46.9%
\$250,000 - \$499,999	9	\$105,141	\$11,682	\$8,236	\$3,447	3.2%	70.5%	29.5%
\$500,000 - \$749,999	5	\$61,945	\$12,389	\$6,690	\$5,699	2.0%	54.0%	46.0%
\$750,000 - \$999,999	2	\$16,170	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	15	\$458,424	\$30,562	\$17,792	\$12,770	0.8%	58.2%	41.8%

^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)

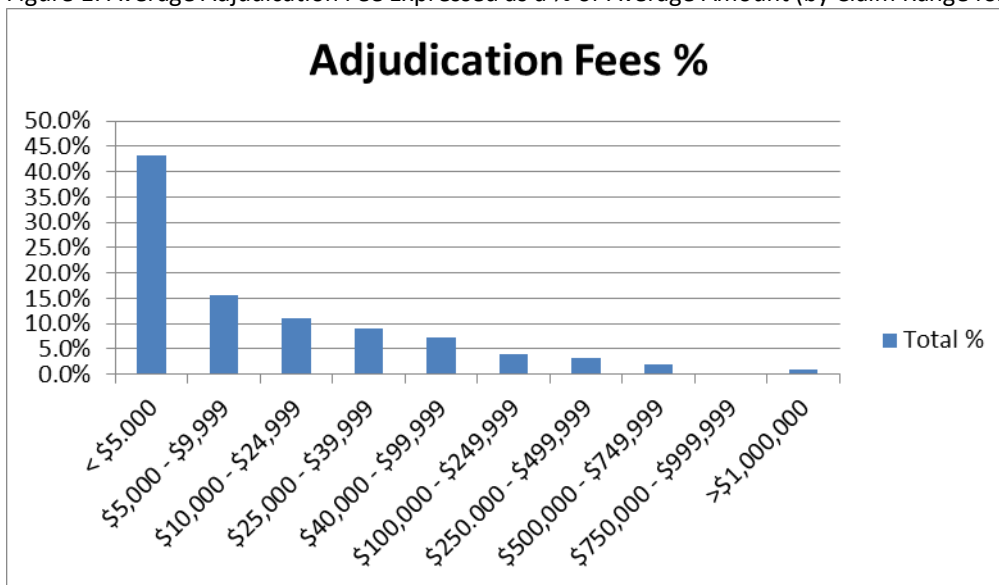
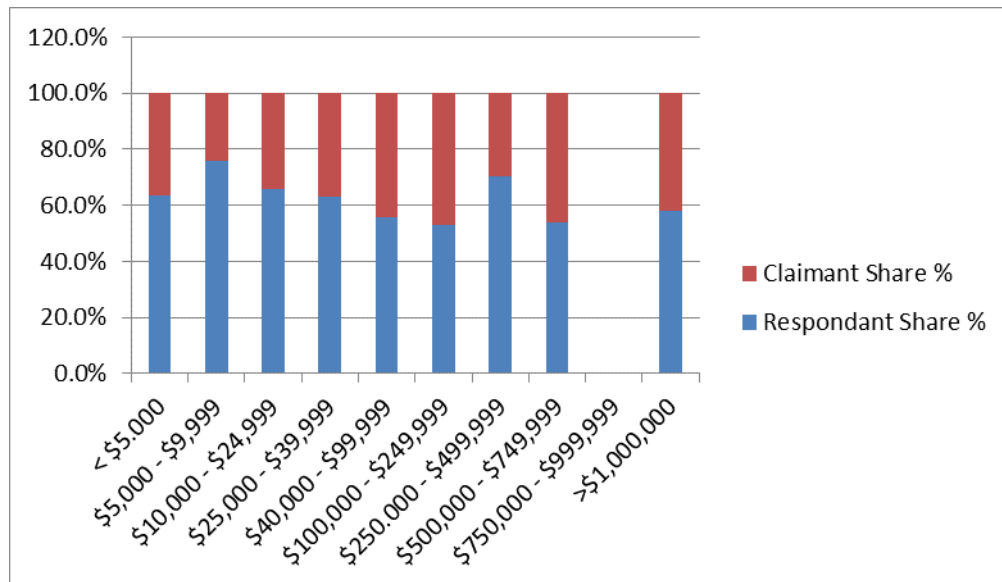


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	14	\$4,897	\$350	\$252	\$98	15.3%	72.0%	28.0%
\$5,000 - \$9,999	15	\$5,835	\$389	\$276	\$113	78.8%	71.0%	29.0%
\$10,000 - \$24,999	22	\$12,861	\$585	\$360	\$224	3.3%	61.6%	38.4%
\$25,000 - \$39,999	10	\$9,336	\$934	\$440	\$494	2.9%	47.1%	52.9%
\$40,000 - \$99,999	27	\$37,923	\$1,405	\$830	\$574	2.2%	59.1%	40.9%
\$100,000 - \$249,999	21	\$41,051	\$1,955	\$879	\$1,076	1.2%	45.0%	55.0%
\$250,000 - \$499,999	9	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
\$500,000 - \$749,999	5	\$21,065	\$4,213	\$2,275	\$1,938	0.7%	54.0%	46.0%
\$750,000 - \$999,999	2	\$5,115	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	15	\$106,210	\$7,081	\$3,667	\$3,414	0.2%	51.8%	48.2%

[^]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)

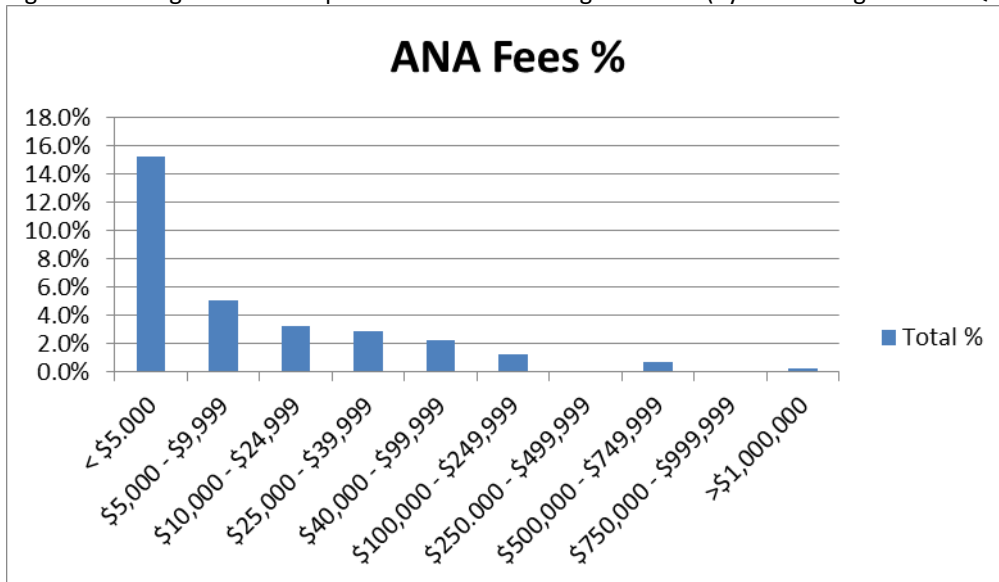
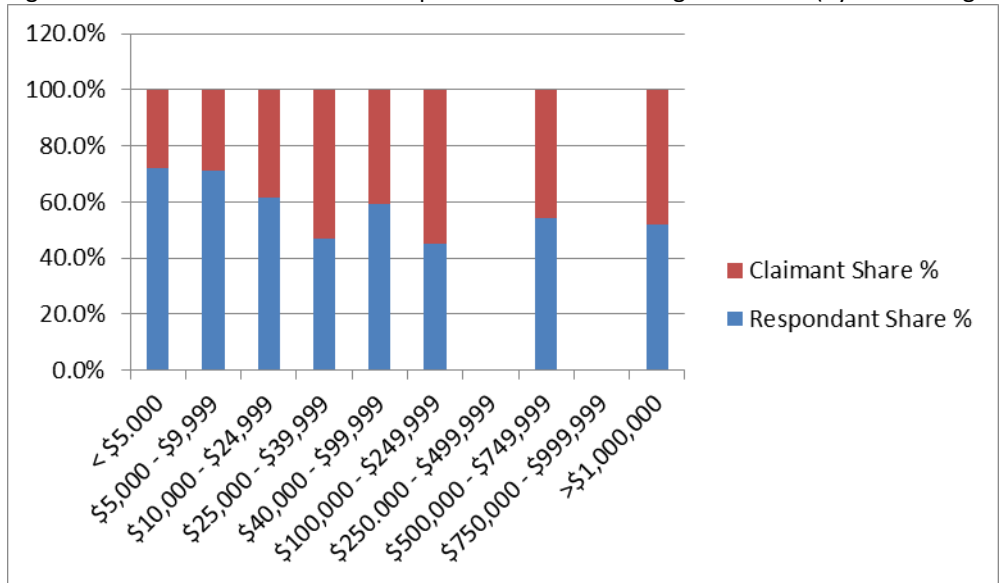


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees^	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$732,089	\$2,538,486	73.1%
ANA	\$269,566	\$1,056,928	26.9%
Total Fees	\$1,001,655	\$3,595,414	

^Determinations released

Total Adjudication Fees^	Quarter \$	YTD (\$)
Total Fees*	\$1,001,655	\$3,595,414
Average Total Fee	\$7,155	\$26,222
Max Total Fee	\$70,132	\$223,494
Min Total Fee	\$0	\$0

^Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$2,802,692	\$19,436,284
Total Value Adjudicated Amounts (Determinations Not Released)	\$1,262,038	\$4,007,884
Average Adjudicated Amounts (Determinations Not Released)	\$70,113	
Maximum Adjudicated Amounts (Determinations Not Released)	\$337,160	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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