

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 3

January to March 2021



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	186	693
Determinations released	97	391
Determinations pending release	10	15
Determinations not released	101	309

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	101	331
S17(1)(a)(ii)	7	22
S17(1)(b)	78	340
Total Number	186	693

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	14	71
Settled Privately	4	52
Invalid Application	6	18
Timed Out	14	38
Jurisdiction	3	9
Not yet determined	39	102
Adjudicator conflict of Interest	0	0
Fees not paid	1	1
Other	0	1

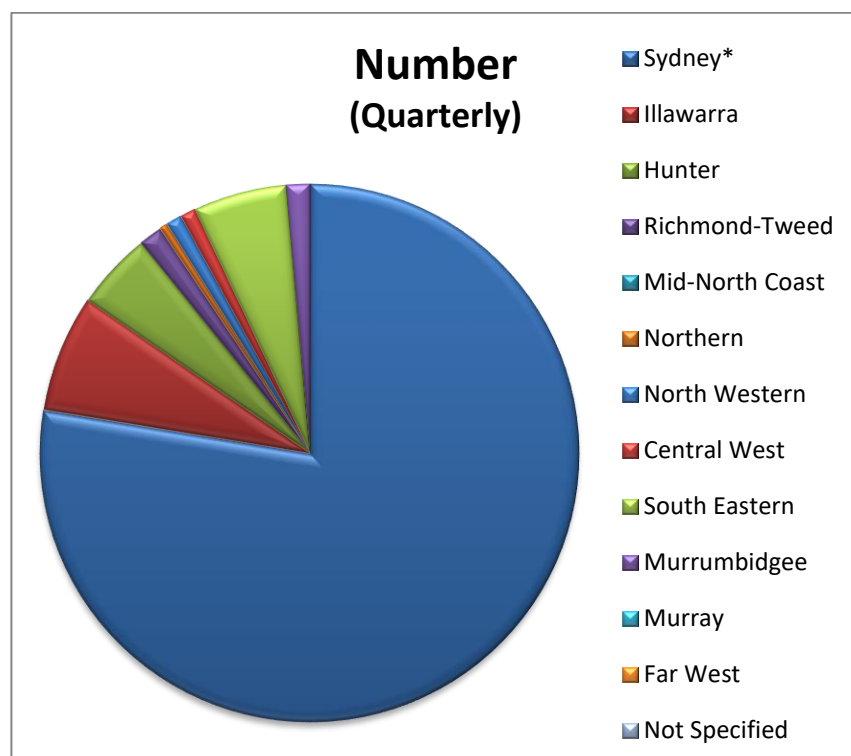
Applications by Region

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

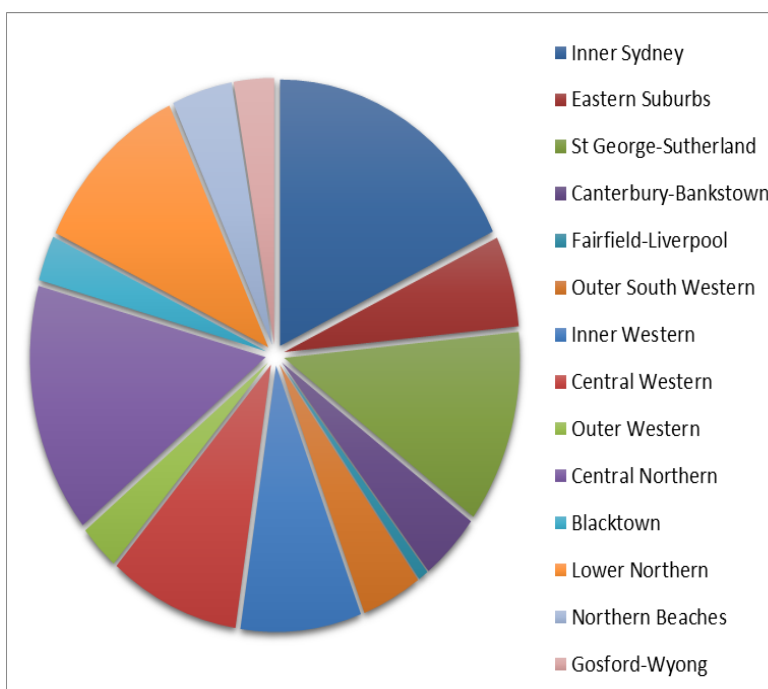
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	145	78.0%
Illawarra	8	4.3%
Hunter	5	2.7%
Richmond-Tweed	1	0.5%
Mid-North Coast	1	0.5%
Northern	0	0.0%
North Western	4	2.2%
Central West	6	3.2%
South Eastern	6	3.2%
Murrumbidgee	3	1.6%
Murray	5	2.7%
Far West	0	0.0%
Not Specified	2	1.1%

* See Sydney Distribution table



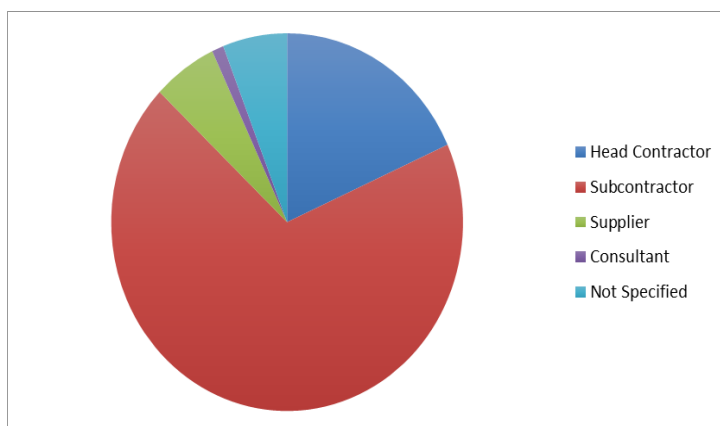
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	26	17.9%
Eastern Suburbs	8	5.5%
St George-Sutherland	17	11.7%
Canterbury-Bankstown	6	4.1%
Fairfield-Liverpool	1	0.7%
Outer South Western	6	4.1%
Inner Western	12	8.3%
Central Western	13	9.0%
Outer Western	4	2.8%
Central Northern	22	15.2%
Blacktown	4	2.8%
Lower Northern	16	11.0%
Northern Beaches	6	4.1%
Gosford-Wyong	4	2.8%



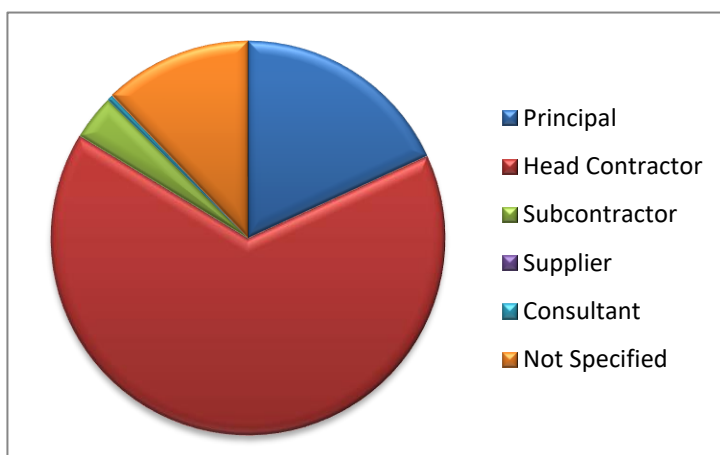
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	Number (Quarterly)	% of Total
Subcontractor	34	18.3%
Supplier	128	68.8%
Consultant	11	5.9%
Not Specified	2	1.1%
Total Number	11	5.9%



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	48	25.8%
Head Contractor	105	56.5%
Subcontractor	12	6.5%
Supplier	0	0.0%
Consultant	1	0.5%
Not Specified	20	10.8%
Total Number	186	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$104,286,039	\$334,795,282
Total Value Claimed Amounts (Determinations released)	\$45,804,992	\$141,011,883
Total Value Adjudicated Amounts (Determinations Released)	\$12,375,072	\$46,644,289
Average Claimed Amount	\$560,678	
Average Adjudicated Amount (Determinations Released)	\$127,578	
Maximum Claim Amount	\$18,170,580	
Maximum Adjudicated Amount (Determinations Released)	\$2,692,327	
Minimum Claimed Amount	\$1,056	
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	7	\$17,410	\$2,487	7
\$5,000 - \$9,999	7	\$50,636	\$7,234	6
\$10,000 - \$24,999	20	\$314,440	\$15,722	13
\$25,000 - \$39,999	5	\$155,581	\$31,116	2
\$40,000 - \$99,999	20	\$1,350,964	\$67,548	6
\$100,000 - \$249,999	13	\$1,897,448	\$145,958	5
\$250,000 - \$499,999	10	\$3,485,165	\$348,517	1
\$500,000 - \$749,999	5	\$2,897,416	\$579,483	0
\$750,000 - \$999,999	1	\$885,446	\$885,446	0
≥\$1,000,000	9	\$28,252,837	\$3,139,204	0

^ Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	29	\$18,260	\$630
\$5,000 - \$9,999	10	\$71,643	\$7,164
\$10,000 - \$24,999	17	\$267,998	\$15,765
\$25,000 - \$39,999	3	\$93,491	\$31,164
\$40,000 - \$99,999	13	\$821,510	\$63,193
\$100,000 - \$249,999	13	\$1,889,395	\$145,338
\$250,000 - \$499,999	8	\$2,818,523	\$352,315
\$500,000 - \$749,999	1	\$665,512	\$665,512
\$750,000 - \$999,999	0	\$0	\$0.00
≥\$1,000,000	3	\$5,728,739	\$1,909,580

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	29	2	6.9%
\$5,000 - \$9,999	10	4	40.0%
\$10,000 - \$24,999	17	6	35.3%
\$25,000 - \$39,999	3	1	33.3%
\$40,000 - \$99,999	13	2	15.4%
\$100,000 - \$249,999	13	5	38.5%
\$250,000 - \$499,999	8	2	25.0%
\$500,000 - \$749,999	1	0	0.0%
\$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	Total	Average	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	7	\$7,095	\$1,014	\$930	\$84	40.8%	91.7%	8.3%
\$5,000 - \$9,999	7	\$8,631	\$1,233	\$1,233	\$0	17.0%	100.0%	0.0%
\$10,000 - \$24,999	20	\$32,196	\$1,610	\$1,406	\$204	10.2%	87.3%	12.7%
\$25,000 - \$39,999	5	\$11,023	\$2,205	\$1,386	\$819	7.1%	62.9%	37.1%
\$40,000 - \$99,999	20	\$125,944	\$6,297	\$3,769	\$2,528	9.3%	59.8%	40.2%
\$100,000 - \$249,999	13	\$103,166	\$7,936	\$5,727	\$2,209	5.4%	72.2%	27.8%
\$250,000 - \$499,999	10	\$116,465	\$11,646	\$6,356	\$5,290	3.3%	54.6%	45.4%
\$500,000 - \$749,999	5	\$90,460	\$18,092	\$12,122	\$5,970	3.1%	67.0%	33.0%
\$750,000 - \$999,999	1	\$25,674	\$25,674	\$19,009	\$6,665	2.9%	74.0%	26.0%
>\$1,000,000	9	\$269,821	\$29,980	\$21,455	\$8,525	1.0%	71.6%	28.4%

^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)

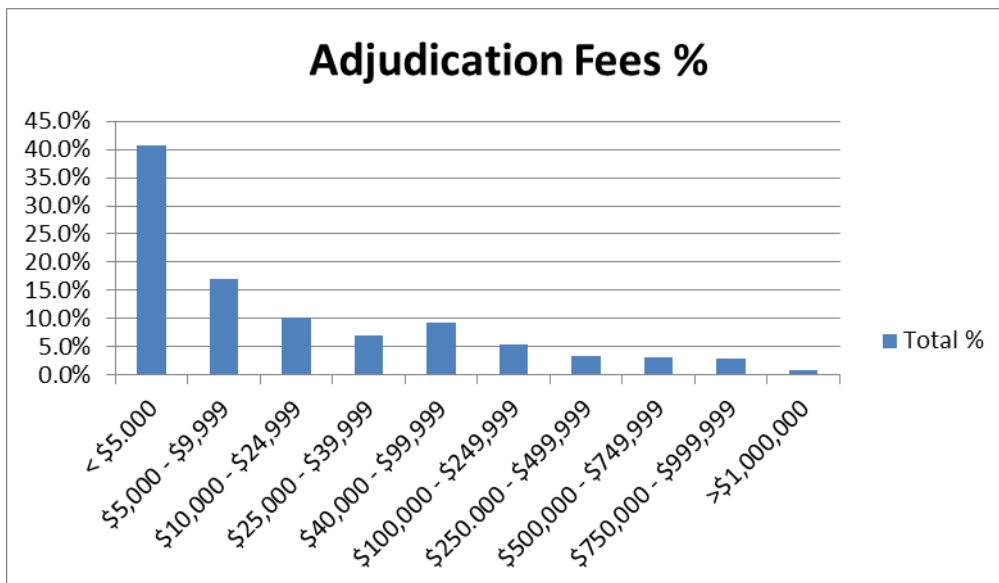
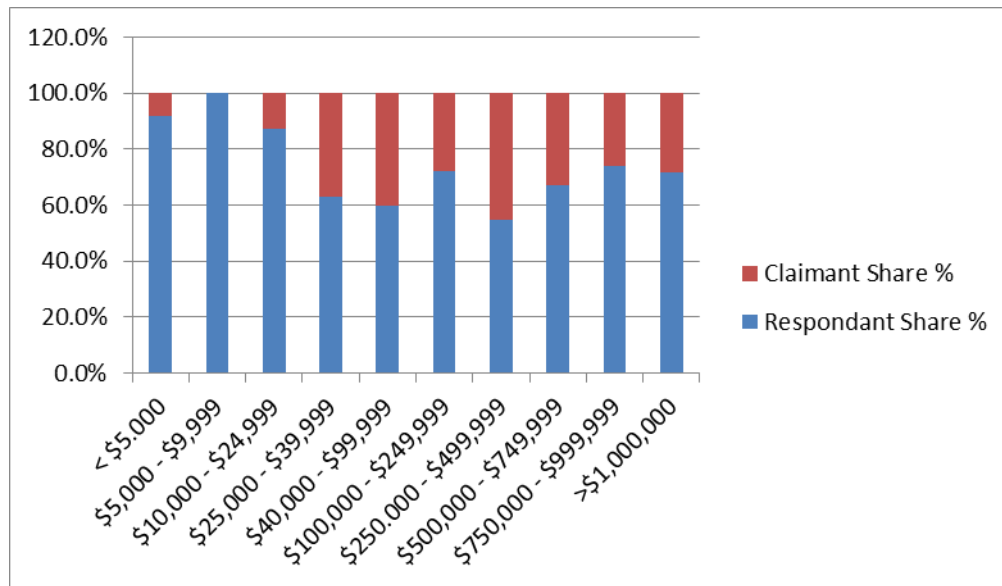


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	7	\$2,453	\$350	\$304	\$46	14.1%	86.8%	13.2%
\$5,000 - \$9,999	7	\$3,042	\$435	\$379	\$56	6.0%	87.1%	12.9%
\$10,000 - \$24,999	20	\$10,538	\$527	\$383	\$144	3.4%	72.7%	27.3%
\$25,000 - \$39,999	5	\$3,192	\$638	\$237	\$401	2.1%	37.1%	62.9%
\$40,000 - \$99,999	20	\$41,004	\$2,050	\$1,110	\$940	3.0%	54.2%	45.8%
\$100,000 - \$249,999	13	\$31,348	\$2,411	\$1,599	\$813	1.7%	66.3%	33.7%
\$250,000 - \$499,999	10	\$32,077	\$3,208	\$1,136	\$2,071	0.9%	35.4%	64.6%
\$500,000 - \$749,999	5	\$30,520	\$6,104	\$4,090	\$2,014	1.1%	67.0%	33.0%
\$750,000 - \$999,999	1	\$6,666	\$6,666	\$1,730	\$4,936	0.8%	26.0%	74.0%
>\$1,000,000	9	\$76,790	\$8,532	\$4,322	\$4,210	0.3%	50.7%	49.3%

[^]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)

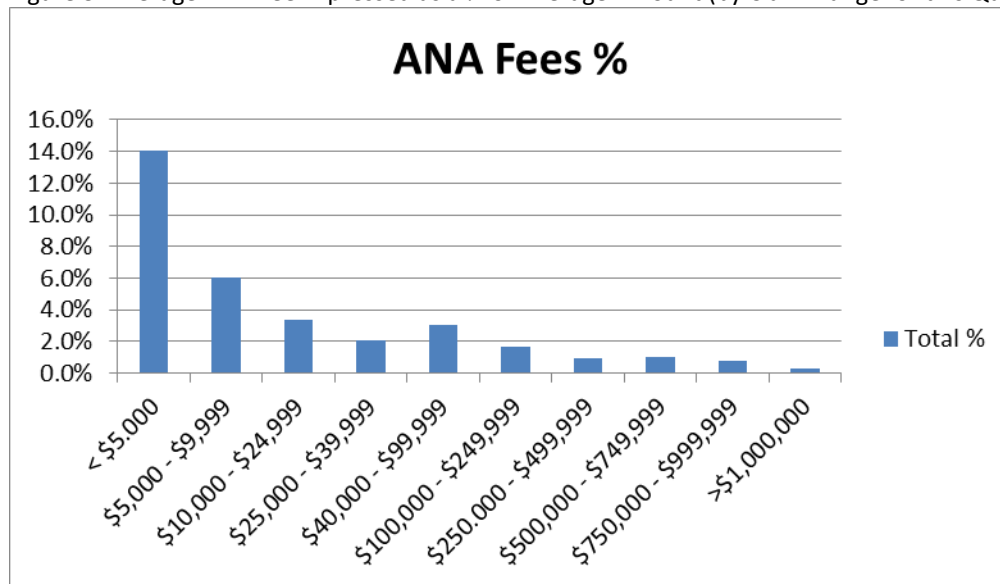
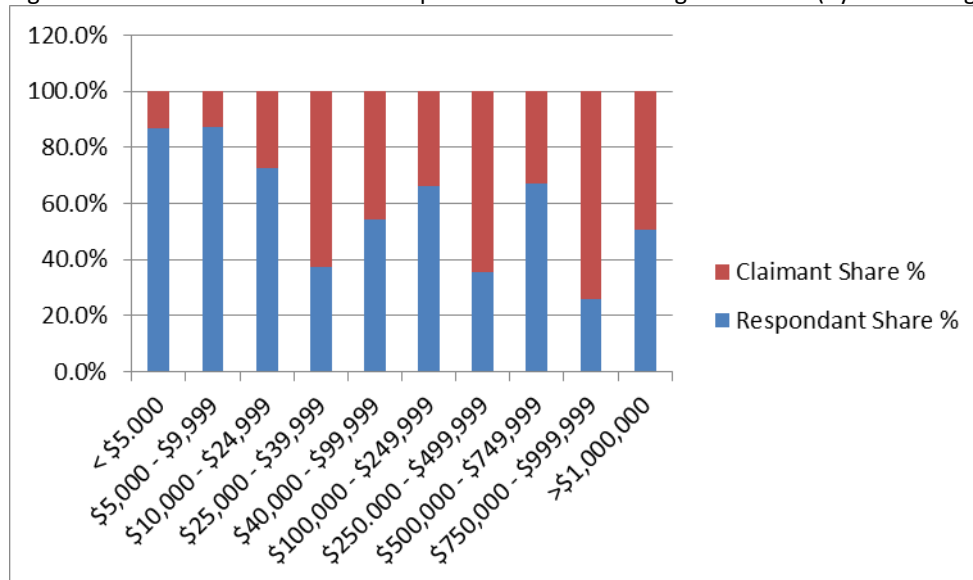


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees^	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$552,844	\$1,577,499	69.9%
ANA	\$237,631	\$672,660	30.1%
Total Fees	\$790,475	\$2,250,159	

^Determinations released

Total Adjudication Fees^	Quarter \$	YTD (\$)
Total Fees*	\$790,475	\$2,233,086
Average Total Fee	\$8,149	\$18,300
Max Total Fee	\$49,500	\$148,665
Min Total Fee	\$0	\$0

^Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$18,913,933	\$23,718,687
Total Value Adjudicated Amounts (Determinations Not Released)	\$12,163,022	\$12,185,001
Average Adjudicated Amounts (Determinations Not Released)	\$1,216,302	
Maximum Adjudicated Amounts (Determinations Not Released)	\$11,862,111	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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