



Fair  
Trading

# Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 2

1 October 2017 to 31 December 2017



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Coverage of this Report: This progress report contains adjudication statistics for the period commencing 1 October 2017 and ending on 31 December 2017.

Rounding: Where figures have been rounded, discrepancies may occur between sums of the component items and the totals shown,

# APPLICATIONS

## Applications by Number, Status & Section

Table1(a)

Number and Status	Number (Quarter)	YTD
Applications lodged	263	541
Determinations released	117	252
Determinations pending release	146	289

Table 1(b)

Application by Section	Number (Quarter)	YTD
s.17(1)(a)(i)	161	306
s.17(1)(a)(ii)	5	9
s.17(1)(b)	97	226
<b>Total Number</b>	<b>263</b>	<b>541</b>

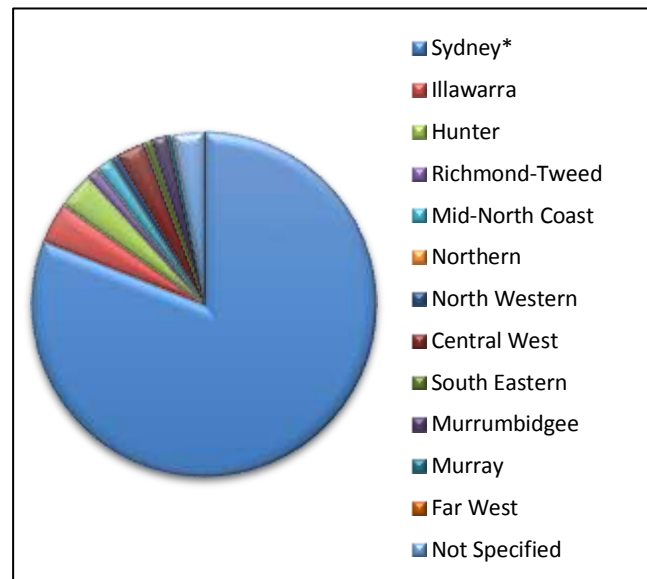
## Applications by Region

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

Table 2(a)

Region (State-wide)	Number (Quarter)	% of Total
Sydney*	213	81.0%
Illawarra	10	3.8%
Hunter	9	3.4%
Richmond-Tweed	3	1.1%
Mid-North Coast	4	1.5%
Northern	0	nil
North Western	2	0.8%
Central West	7	2.7%
South Eastern	2	0.8%
Murrumbidgee	4	1.5%
Murray	1	0.4%
Far West	0	0.0%
Not Specified	8	3.0%
<b>Total Number</b>	<b>263</b>	<b>100.0%</b>

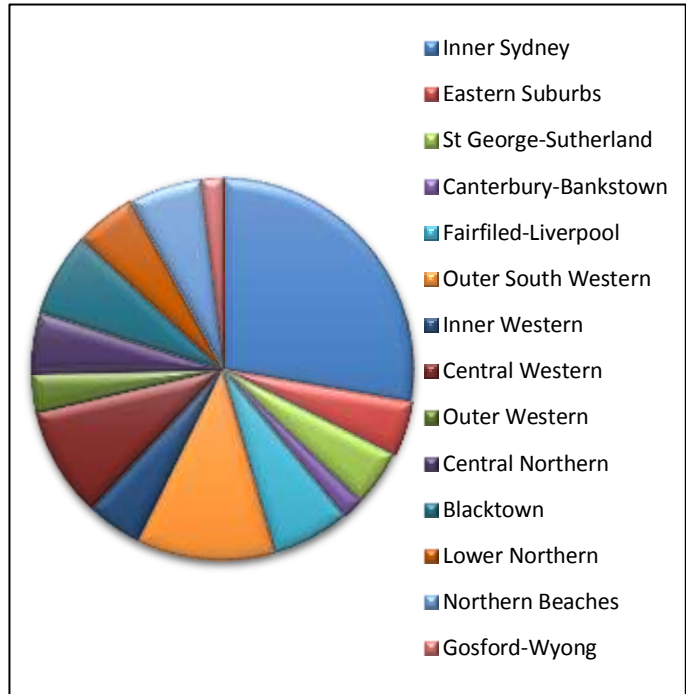


\*See 'Sydney Distribution' Table 2(b) on page 3

## Sydney Distribution

Table 2(b)

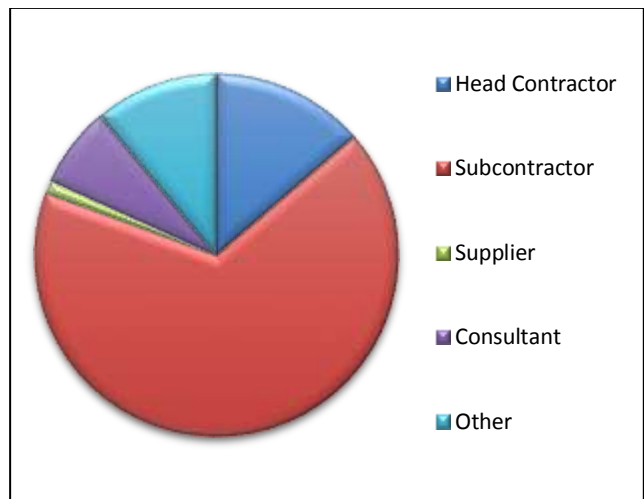
Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	59	27.7%
Eastern Suburbs	10	4.7%
St George-Sutherland	10	4.7%
Canterbury-Bankstown	4	1.9%
Fairfield-Liverpool	14	6.6%
Outer South Western	25	11.7%
Inner Western	10	4.7%
Central Western	20	9.4%
Outer Western	7	3.3%
Central Northern	11	5.2%
Blacktown	15	7.0%
Lower Northern	11	5.2%
Northern Beaches	13	6.1%
Gosford-Wyong	4	1.9%
<b>Total Number</b>	<b>263</b>	<b>100.0%</b>



## Application by Claimant Type

Table 3(a)

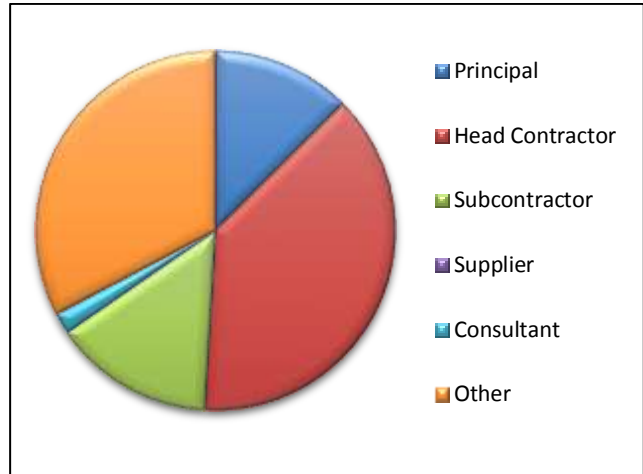
Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	36	13.7%
Subcontractor	176	66.9%
Supplier	3	1.1%
Consultant	19	7.2%
Other	29	11.0%
<b>Total Number</b>	<b>263</b>	<b>100.0%</b>



## Application by Respondent Type

Table 3(b)

Respondent Distribution	Number (Quarter)	% of Total
Principal	33	12.5%
Head Contractor	101	38.4%
Subcontractor	38	14.4%
Supplier	0	nil
Consultant	5	1.9%
Other	86	32.7%
<b>Total Number</b>	<b>263</b>	<b>100.0%</b>



## CLAIMED AMOUNT v ADJUDICATED AMOUNT

### Claimed Amount and Adjudicated Amount Statistics

Table 4

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$117,840,746	\$202,937,377
Total Value Claimed Amounts (Determinations released)	\$71,369,577	\$103,473,022
Total Value Adjudicated Amounts (Determinations Released)	\$24,311,823	\$38,542,728
Average Claimed Amount	\$448,064	
Average Adjudicated Amount (Determinations Released)	\$207,793	
Maximum Claim Amount	\$26,194,255	
Maximum Adjudicated Amount (Determinations Released)	\$4,734,882	
Minimum Claimed Amount	\$0	
Minimum Adjudicated Amount (Determinations Released)	\$0	

## DETERMINATIONS

### Determinations by Claim Range

Table 5

Claimed Amount (\$)	Number (Quarter)^	Cumulative Claimed Amount (\$)	Average Claimed Amount (\$)	Number awarded 100% of claimed amount (% of Number)
< \$5000	12	\$31,554	\$2,630	2 (16.6%)
\$5,000 - \$9,999	11	\$87,087	\$7,917	2 (18.2%)
\$10,000 - \$24,999	21	\$376,774	\$17,942	4 (19.1%)
\$25,000 - \$39,999	14	\$440,797	\$31,486	3 (21.4%)
\$40,000 - \$99,999	23	\$1,392,772	\$60,555	6 (26.1%)
\$100,000 - \$249,999	13	\$2,057,086	\$158,237	1 (7.7%)
\$250,000 - \$499,999	7	\$2,707,782	\$386,826	1 (14.3%)
\$500,000 - \$749,999	1	\$598,363	\$598,363	nil
\$750,000 - \$999,999	1	\$791,550	\$791,550	nil
≥\$1,000,000	14	\$62,885,811	\$4,491,844	nil
<b>Total Number</b>	<b>117</b>			<b>19 (16.2%)</b>

^ Determinations released

### Determinations by Adjudicated Amounts

Table 6

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	25	\$32,475	\$1,299
\$5,000 - \$9,999	11	\$87,123	\$7,920
\$10,000 - \$24,999	16	\$289,037	\$18,065
\$25,000 - \$39,999	13	\$402,804	\$30,985
\$40,000 - \$99,999	21	\$1,245,357	\$59,303
\$100,000 - \$249,999	12	\$1,890,358	\$157,530
\$250,000 - \$499,999	8	\$2,951,475	\$368,934
\$500,000 - \$749,999	3	\$1,988,873	\$662,958
\$750,000 - \$999,999	0	\$0	nil
≥\$1,000,000	8	\$15,424,321	\$1,928,040
<b>Total Number</b>	<b>117</b>		

^ Determinations released

## Adjudication Certificates Issued by Adjudicated Amounts

Table 7

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	9	3	33.3%
\$5,000 - \$9,999	11	6	54.5%
\$10,000 - \$24,999	16	4	25.0%
\$25,000 - \$39,999	13	6	46.2%
\$40,000 - \$99,999	21	7	33.3%
\$100,000 - \$249,999	12	5	41.7%
\$250,000 - \$499,999	8	1	12.5%
\$500,000 - \$749,999	3	0	nil
\$750,000 - \$999,999	0	0	nil
≥\$1,000,000	8	0	nil
<b>Total Number</b>	<b>101</b>	<b>32</b>	<b>31.7%</b>

^Determinations released

\*Adjudicated amounts of \$nil not counted (n=16)

## ADJUDICATION FEES

### Adjudication fees by Claim Range

Table 8

Claimed Amount (\$)	Number (Quarter)^	Average Fees (\$)			Average Fees %		
		Total	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	12	\$375	\$235	\$141	14.3%	62.5%	37.5%
\$5,000 - \$9,999	11	\$744	\$676	\$68	9.4%	90.9%	9.1%
\$10,000 - \$24,999	21	\$908	\$714	\$195	5.1%	78.6%	21.4%
\$25,000 - \$39,999	14	\$1,737	\$1,365	\$372	5.5%	78.6%	21.4%
\$40,000 - \$99,999	23	\$3,581	\$3,191	\$389	5.9%	89.1%	10.9%
\$100,000 - \$249,999	13	\$4,971	\$4,531	\$440	3.1%	91.2%	8.8%
\$250,000 - \$499,999	7	\$5,015	\$3,940	\$1,075	1.3%	78.6%	21.4%
\$500,000 - \$749,999	1	\$4,608	\$4,608	\$0	0.8%	100.0%	nil
\$750,000 - \$999,999	1	\$14,400	\$14,400	\$0	1.8%	100.0%	nil
>\$1,000,000	14	\$14,420	\$8,291	\$6,128	0.3%	57.5%	42.5%
<b>Total Number</b>	<b>117</b>						

^Determinations released

(1) Average Adjudication Fee expressed as a percentage of the Average Claimed Amount shown in Table 6 on page 5.

(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)

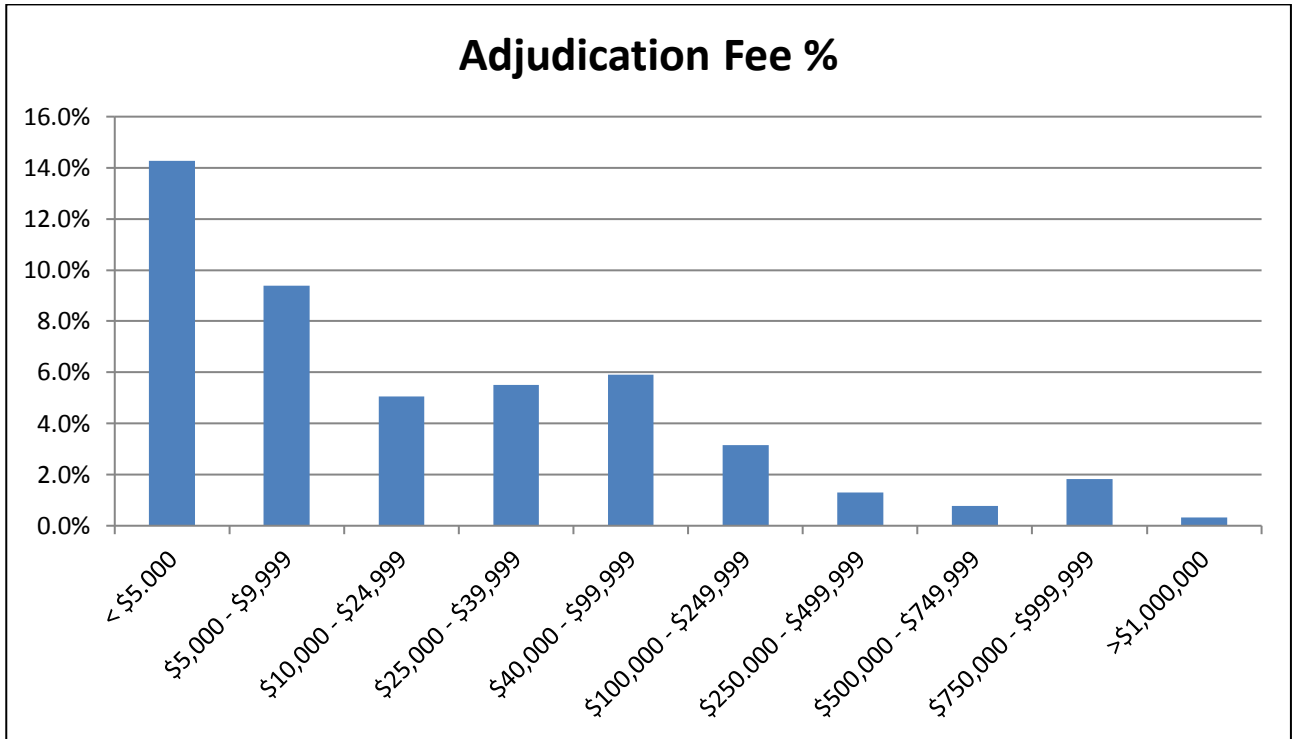
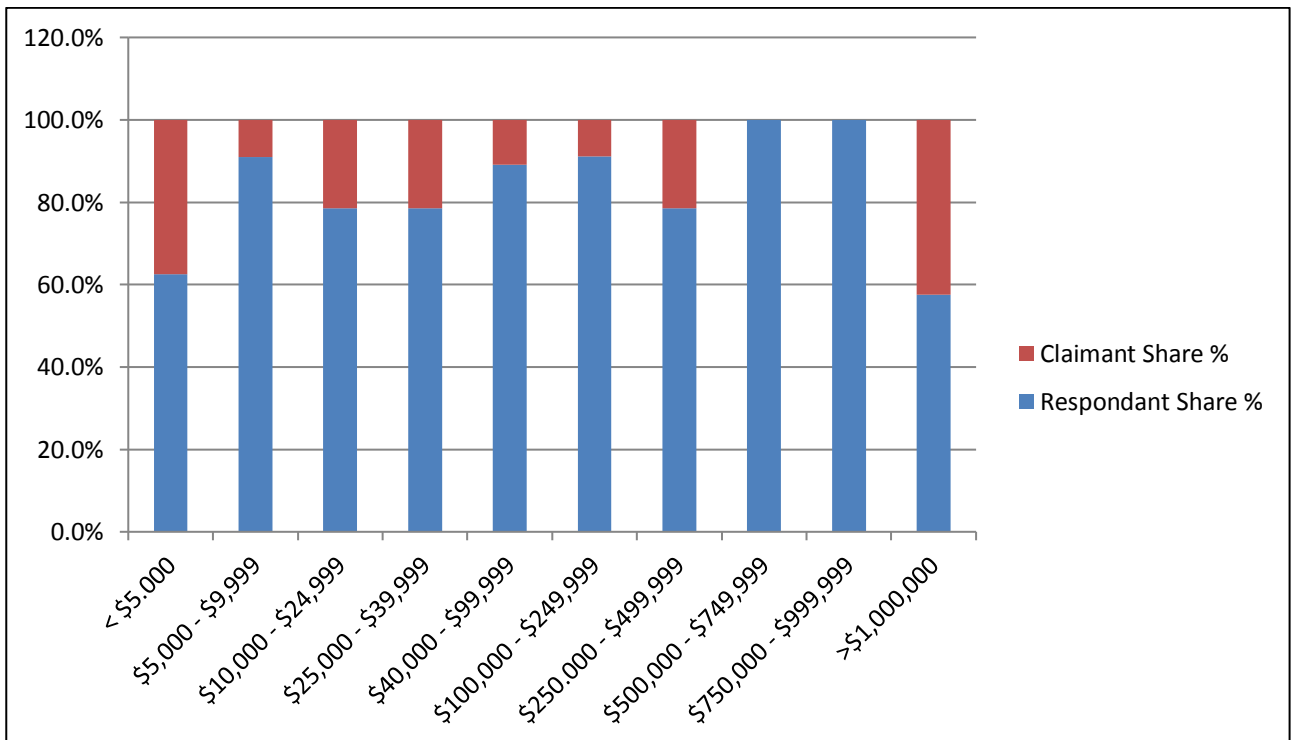


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)





# ANA FEES

## ANA fees by Claim Range

Table 9

Claimed Amount (\$)	Number (Quarter)^	Average Fees (\$)			Average Fees %		
		Total	Respondent Share	Claimant Share	Total (1)	Respondent Share (2)	Claimant Share (3)
< \$5,000	12	\$185	\$116	\$69	7.0%	62.5%	37.5%
\$5,000 - \$9,999	11	\$366	\$332	\$33	4.6%	90.9%	9.1%
\$10,000 - \$24,999	21	\$449	\$353	\$96	2.5%	78.6%	21.4%
\$25,000 - \$39,999	14	\$776	\$610	\$166	2.5%	78.6%	21.4%
\$40,000 - \$99,999	23	\$1,867	\$1,664	\$203	3.1%	89.1%	10.9%
\$100,000 - \$249,999	13	\$2,380	\$2,170	\$211	1.5%	91.2%	8.8%
\$250,000 - \$499,999	7	\$2,104	\$1,653	\$451	0.5%	78.6%	21.4%
\$500,000 - \$749,999	1	\$2,496	\$2,496	\$0	0.4%	100.0%	nil
\$750,000 - \$999,999	1	\$7,800	\$7,800	\$0	1.0%	100.0%	nil
>\$1,000,000	14	\$5,463	\$3,141	\$2,322	0.1%	57.5%	42.5%
<b>Total Number</b>	<b>117</b>						

^Determinations released

(1) Average ANA Fee expressed as a percentage of the Average Claimed Amount shown in Table 6 on page 5.

(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)

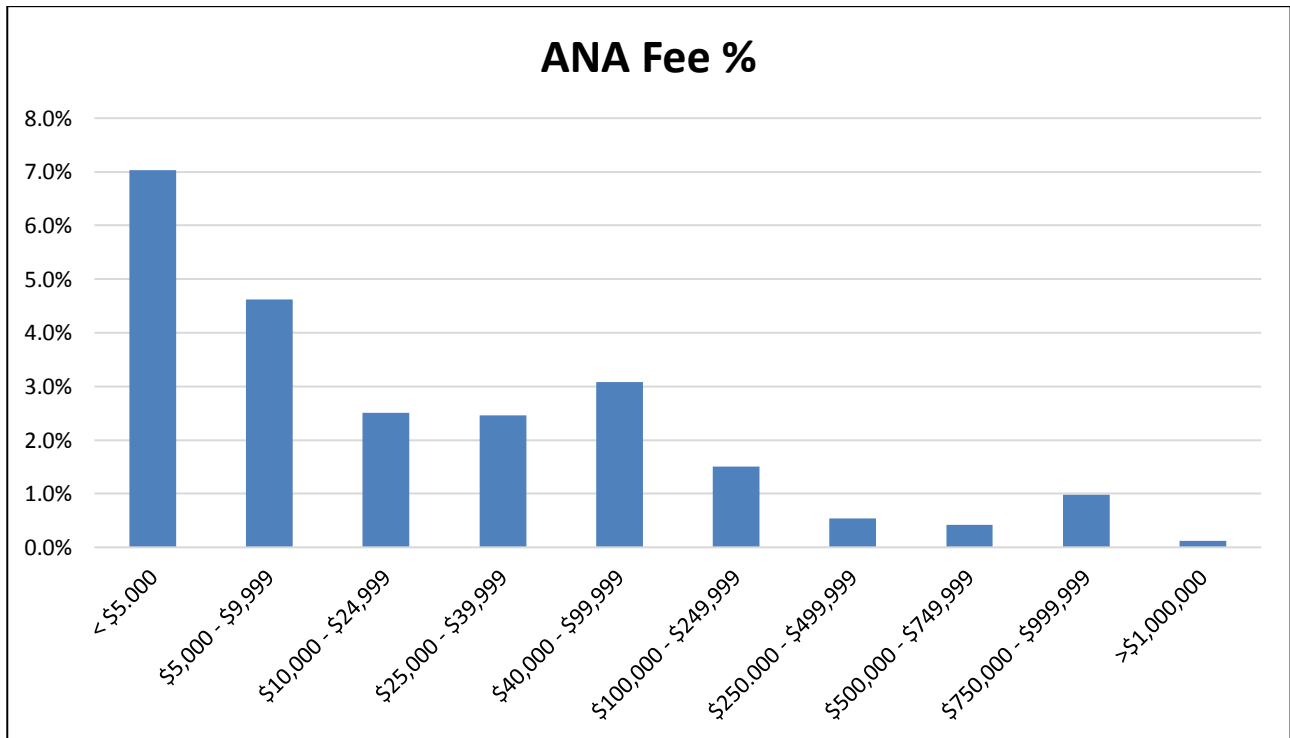
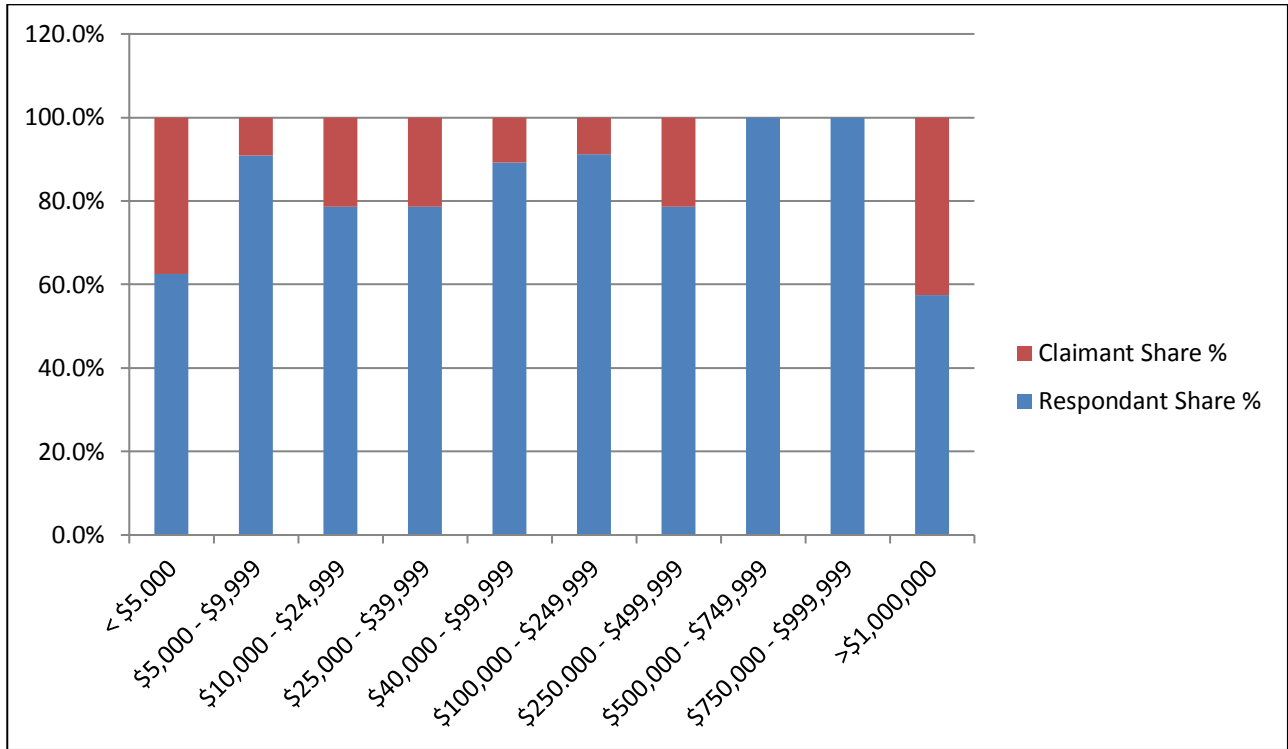


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



## Adjudicator versus ANA Fees

Table 10

Adjudicator V. ANA Fees <sup>^</sup>	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$459,038	\$811,890	69.3%
ANA	\$201,928	\$359,335	30.7%
<b>Total Adjudication Fee</b>	<b>\$660,965</b>	<b>\$1,171,224</b>	<b>100.0%</b>

<sup>^</sup>Determinations released

## Total Adjudication Fees Statistics

Table 11

Total Adjudication Fee Statistics <sup>^</sup>	Quarter \$
Total Adjudication Fees*	\$660,965
Average Total Adjudication Fee	\$5,649
Max Total Adjudication Fee	\$54,390
Min Total Adjudication Fee	\$0

<sup>^</sup>Determinations released

\*Shown in Table 10 above

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