



Fair
Trading

Building and Construction Industry Security of Payment Act 1999

Adjudication Activity Statistics

Quarterly Report - No. 4

1 April 2019 to 30 June 2019



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	266	961
Determinations released	138	593
Determinations pending release	27	84
Determinations not release	101	276

Application by Section	Number (Quarter)	YTD
S17(1)(a)(i)	134	517
S17(1)(a)(ii)	4	16
S17(1)(b)	128	428
Total Number	134	517

Reason for determination not being released	Number (Quarterly)	YTD
Withdrawn	10	32
Settled Privately	39	137
Invalid Application	6	38
Timed Out	8	23
Jurisdiction	3	17
Not yet determined	0	0
Adjudicator conflict of Interest	1	2
Fees not paid	3	10
Other	0	2

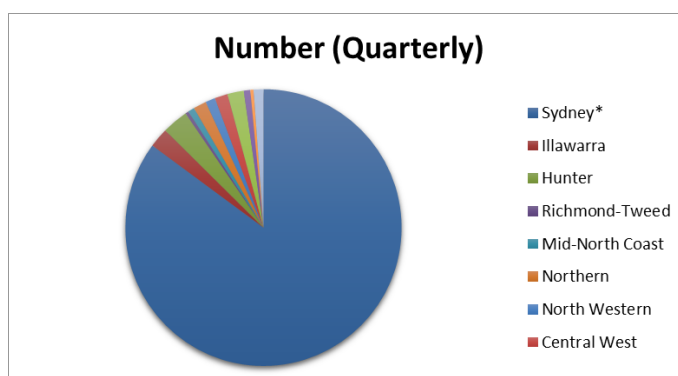
Applications by Region

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

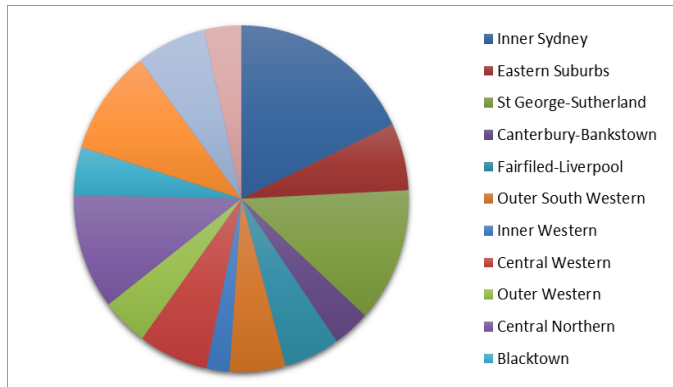
Region (State-wide)	Number (Quarter)	% of Total
Sydney*	223	85.1%
Illawarra	6	2.3%
Hunter	8	3.1%
Richmond-Tweed	1	0.4%
Mid-North Coast	2	0.8%
Northern	4	1.5%
North Western	3	1.1%
Central West	4	1.5%
South Eastern	5	1.9%
Murrumbidgee	2	0.8%
Murray	0	0.0%
Far West	1	0.4%
Not Specified	3	1.1%

* See Sydney Distribution table



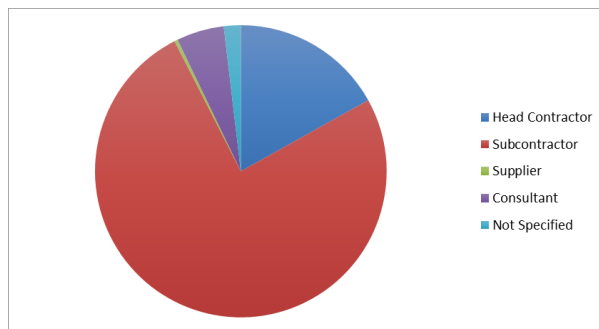
Sydney Distribution

Region (Sydney)	Number (Quarter)	% of Total
Inner Sydney	40	17.9%
Eastern Suburbs	14	6.3%
St George-Sutherland	28	12.6%
Canterbury-Bankstown	8	3.6%
Fairfield-Liverpool	12	5.4%
Outer South Western	12	5.4%
Inner Western	5	2.2%
Central Western	15	6.7%
Outer Western	10	4.5%
Central Northern	24	10.8%
Blacktown	10	4.5%
Lower Northern	22	9.9%
Northern Beaches	15	6.7%
Gosford-Wyong	8	3.6%



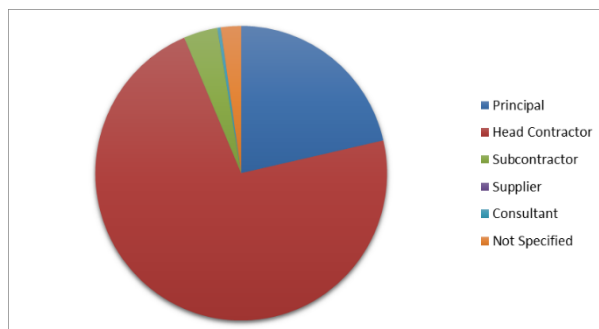
Application by Claimant Type

Claimant Distribution	Number (Quarter)	% of Total
Head Contractor	45	16.9%
Subcontractor	201	75.6%
Supplier	1	0.4%
Consultant	14	5.3%
Not Specified	5	1.9%
Total Number	266	



Application by Respondent Type

Respondent Distribution	Number (Quarter)	% of Total
Principal	57	21.4%
Head Contractor	192	72.2%
Subcontractor	10	3.8%
Supplier	0	0.0%
Consultant	1	0.4%
Not Specified	6	2.3%
Total Number	266	



CLAIMED AMOUNTS

Claimed Amount and Adjudicated Amount Statistics

Claimed Amount v Adjudicated Amount Statistics	Quarter (\$)	YTD (\$)
Total Value Claimed Amounts	\$157,212,894	\$451,660,556
Total Value Claimed Amounts (Determinations released)	\$32,144,727	\$197,450,068
Total Value Adjudicated Amounts (Determinations Released)	\$18,019,282	\$80,622,261
Average Claimed Amount	\$591,026	
Average Adjudicated Amount (Determinations Released)	\$130,575	
Maximum Claim Amount	\$38,753,620	
Maximum Adjudicated Amount (Determinations Released)	\$5,541,608	
Minimum Claimed Amount	\$1,221	
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	11	\$36,073	\$3,279	1
\$5,000 - \$9,999	16	\$31,286	\$1,955	4
\$10,000 - \$24,999	27	\$440,918	\$16,330	3
\$25,000 - \$39,999	20	\$632,698	\$31,635	0
\$40,000 - \$99,999	21	\$1,272,170	\$60,580	1
\$100,000 - \$249,999	25	\$4,177,075	\$167,083	0
\$250,000 - \$499,999	4	\$1,572,233	\$393,058	0
\$500,000 - \$749,999	7	\$4,043,330	\$577,619	0
\$750,000 - \$999,999	0	\$0	\$0	0
≥\$1,000,000	7	\$32,144,727	\$4,592,104	1

[^] Determinations released

Determinations by Adjudicated Amounts

Claimed Amount (\$)	Number (Quarter)^	Cumulative Adjudicated Amount (\$)	Average Adjudicated Amount (\$)
< \$5000	29	\$36,073	\$1,244
\$5,000 - \$9,999	18	\$129,414	\$7,190
\$10,000 - \$24,999	28	\$459,520	\$16,411
\$25,000 - \$39,999	13	\$414,189	\$31,861
\$40,000 - \$99,999	20	\$1,258,528	\$62,926
\$100,000 - \$249,999	19	\$2,990,941	\$157,418
\$250,000 - \$499,999	4	\$1,503,255	\$375,814
\$500,000 - \$749,999	1	\$666,314	\$666,314
\$750,000 - \$999,999	3	\$2,638,474	\$879,491
≥\$1,000,000	3	\$7,922,574	\$2,640,858

^ Determinations released

Adjudication Certificates Issued by Adjudicated Amounts

Adjudicated Amount (\$)	Number (Quarter)^	Number of Certificates Issued	% of Certificates Issued
< \$5000*	29	6	20.7%
\$5,000 - \$9,999	18	11	61.1%
\$10,000 - \$24,999	28	15	53.6%
\$25,000 - \$39,999	13	3	23.1%
\$40,000 - \$99,999	20	14	70.0%
\$100,000 - \$249,999	19	14	73.7%
\$250,000 - \$499,999	4	1	25.0%
\$500,000 - \$749,999	1	0	0.0%
\$750,000 - \$999,999	3	0	0.0%
≥\$1,000,000	3	1	33.3%

^ 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	11	\$10,818	\$983	\$957	\$27	30.0%	97.3%	2.7%
\$5,000 - \$9,999	16	\$17,486	\$1,093	\$913	\$180	55.9%	83.5%	16.5%
\$10,000 - \$24,999	27	\$43,711	\$1,619	\$1,282	\$337	9.9%	79.2%	20.8%
\$25,000 - \$39,999	20	\$49,473	\$2,474	\$1,652	\$821	7.8%	66.8%	33.2%
\$40,000 - \$99,999	21	\$60,136	\$2,864	\$2,085	\$779	4.7%	72.8%	27.2%
\$100,000 - \$249,999	25	\$184,065	\$7,363	\$5,693	\$1,670	4.4%	77.3%	22.7%
\$250,000 - \$499,999	4	\$26,714	\$6,678	\$3,339	\$3,339	1.7%	50.0%	50.0%
\$500,000 - \$749,999	7	\$84,162	\$12,023	\$8,588	\$3,435	2.1%	71.4%	28.6%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	7	\$132,940	\$18,991	\$12,209	\$6,783	0.4%	64.3%	35.7%

^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)

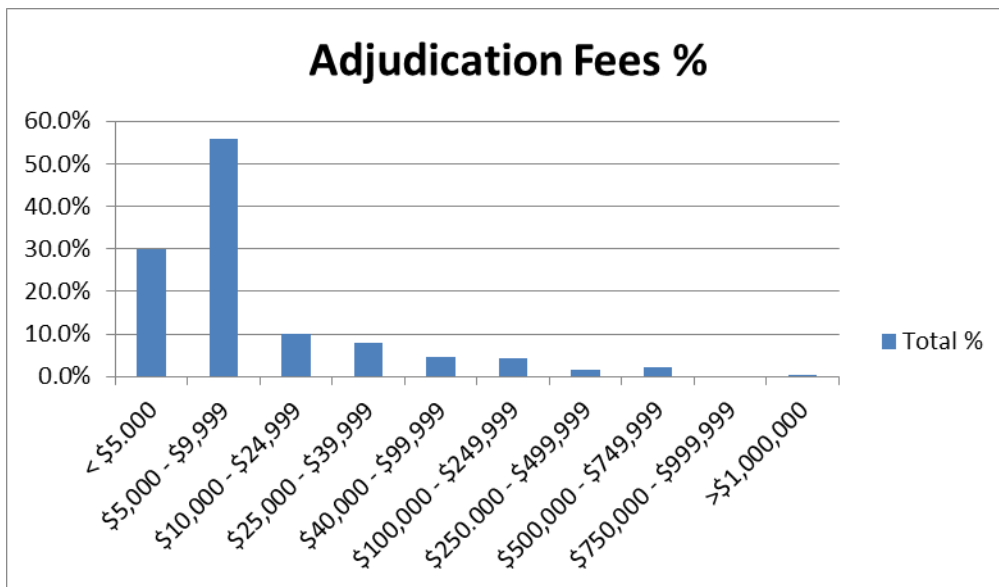
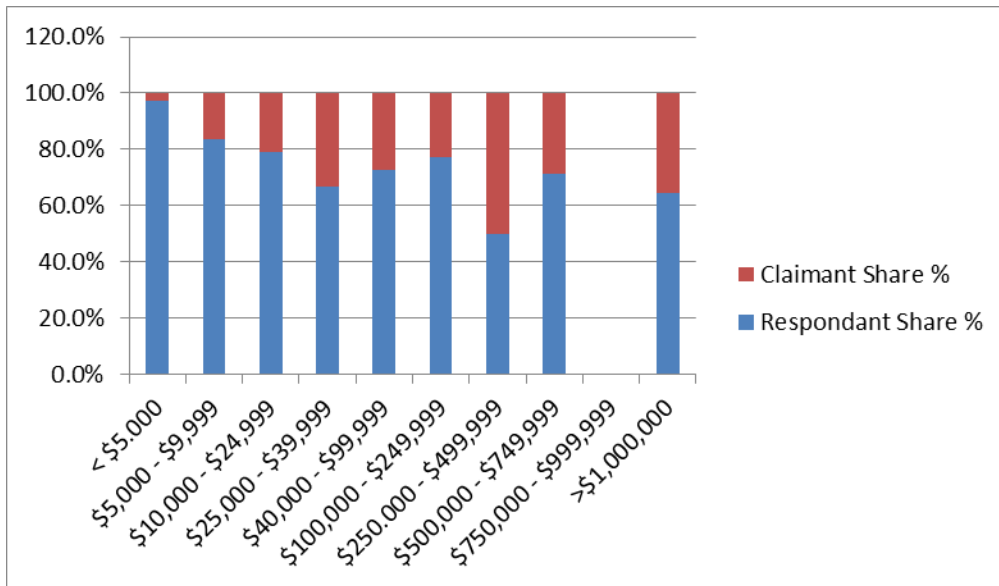


Figure 2: Parties Share of Adjudication Fees expressed as a % of Average Adjudication Fees (by Claim Range for this Quarter)



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	11	\$3,615	\$329	\$308	\$21	10.0%	93.6%	6.4%
\$5,000 - \$9,999	16	\$6,247	\$390	\$308	\$82	20.0%	79.0%	21.0%
\$10,000 - \$24,999	27	\$14,311	\$530	\$365	\$165	3.2%	68.9%	31.1%
\$25,000 - \$39,999	20	\$17,182	\$859	\$543	\$316	2.7%	63.2%	36.8%
\$40,000 - \$99,999	21	\$20,469	\$975	\$637	\$338	1.6%	65.3%	34.7%
\$100,000 - \$249,999	25	\$58,028	\$2,321	\$1,678	\$643	1.4%	72.3%	27.7%
\$250,000 - \$499,999	4	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
\$500,000 - \$749,999	7	\$24,116	\$3,445	\$2,461	\$984	0.6%	71.4%	28.6%
\$750,000 - \$999,999	0	\$0	\$0	\$0	\$0	0.0%	0.0%	0.0%
>\$1,000,000	7	\$27,586	\$3,941	\$2,533	\$1,407	0.1%	64.3%	35.7%

[^]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)

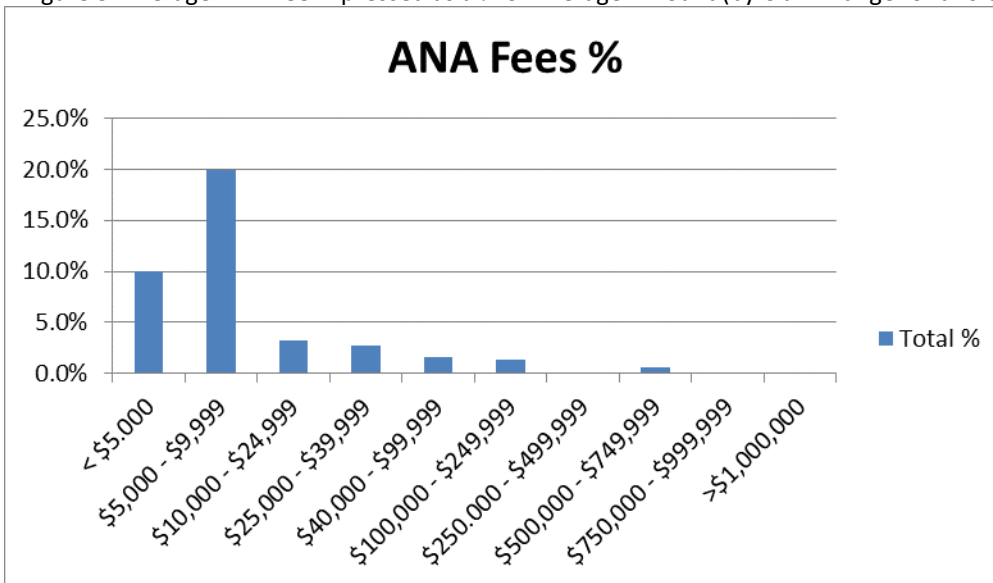
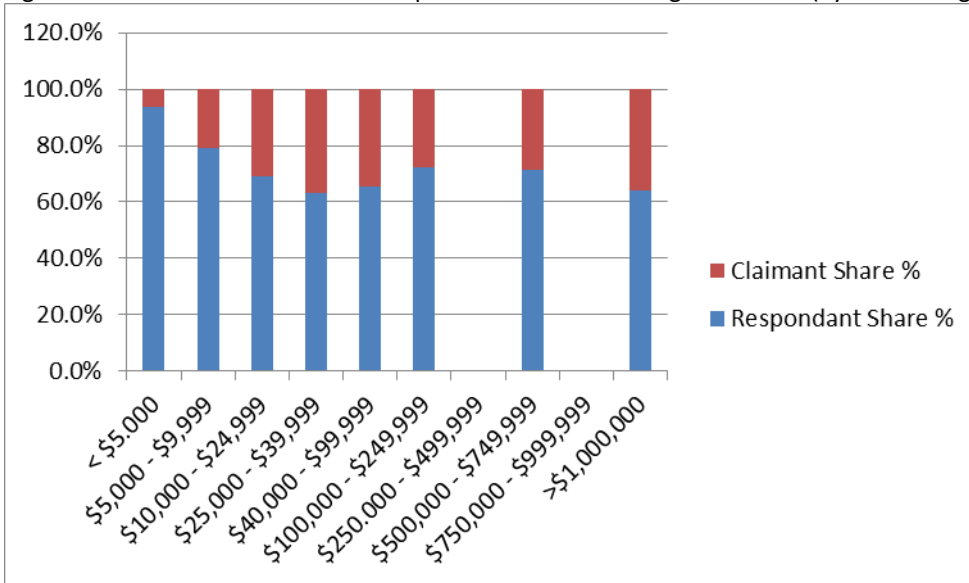


Figure 4: Parties Share of ANA Fees expressed as a % of Average ANA Fees (by Claim Range for this Quarter)



Adjudicator versus ANA Fees

Adjudicator v ANA Fees [^]	Quarter \$	YTD \$	% of Total Fees
Adjudicator	\$430,148	\$2,115,882	70.6%
ANA	\$179,358	\$1,004,160	29.4%
Total Fees	\$609,506	\$3,120,042	

[^]Determinations released

Total Adjudication Fees [^]	Quarter \$	YTD (\$)
Total Fees*	\$609,506	\$3,120,042
Average Total Fee	\$4,417	\$20,932
Max Total Fee	\$44,828	\$195,677
Min Total Fee	\$0	\$0

[^]Determinations released

ADDITIONAL STATISTICS

Additional Claimed Amount Statistics	Quarter (\$)	YTD (\$)
Total (Determinations Released and Not Yet Released)	\$50,862,726	\$117,518,199
Total Value Adjudicated Amounts (Determinations Not Released)	\$22,285,316	\$34,978,149
Average Adjudicated Amounts (Determinations Not Released)	\$825,382	
Maximum Adjudicated Amounts (Determinations Not Released)	\$15,171,077	
Minimum Adjudicated Amounts (Determinations Not Released)	\$0	

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