Topics:

Background to the Act
- Introduction of the Act
- Act does not apply to domestic building contracts
- The payment claim/payment schedule process
- Amount Determined under the Act is payable “on account”
- Consequences of failure to provide payment schedule within 10 business days
- Consequences of not paying in accordance with payment schedule
- The Adjudication Process

Payment Claim
- Requirements of a Valid Payment Claim
- One Payment Claim for each Reference Date/3 month time limit
- “Reference Date”
- Payment Claim must identify the work to which it relates
- Limits on Payments Claim in Victoria: Claimable Variations/Excluded Amounts
- Material that might be included in Payment Claims

Payment Schedule
- Requirements of a Valid Payment Schedule
- Material that might be included in Payment Claims

Application for Adjudication

Adjudication Response

Section 21(2B) Notice

Adjudication Process
- The Adjudication Process
  - Brodyn: “basic and essential requirements”
  - Assessment of the amount payable in respect of progress claim
  - Date adjudicated amount payable under the construction contract
  - Interest rate on Adjudicated Amount
  - Determination of the party to pay the adjudicator’s fees
  - Matters Regarded in Making the Determination
- Preparing an Application for Adjudication - Material that might be Included Corrections to Determination
- Review Applications

Enforcement

Attendees will each receive detailed notes.