

Building and Construction Industry Security of Payment Act 2002 (Vic)

APPLICATION FOR REVIEW OF ADJUDICATION DETERMINATION

To: Rialto Adjudications Pty Ltd (Authorised Nominating Authority)
 Level 40, 140 William Street, Melbourne Vic 3000
 Ph: 1300 986 440 Fax: 03 8678 1100 email: greg.bowman@rialtoadjudications.com.au

And To: The Review Respondent

Details of Review Applicant:

Name of Applicant:			
ABN:		ACN:	
Contact Name:			
Ordinary Place of Business:			
Suburb:	State:	Postcode:	
Telephone:	Email:		
Facsimile:	Mobile:		

Details of Review Respondent:

Name of Respondent:			
ABN:		ACN:	
Contact Name:			
Ordinary Place of Business:			
Suburb:	State:	Postcode:	
Telephone:	Email:		
Facsimile:	Mobile:		

Details of Adjudication Determination to which this Application relates:

RAPL Ref No:	
Name of Claimant:	
Name of Respondent:	
Name of Adjudicator:	
Date of Determination:	
Adjudicated Amount:	
Amount contended the adjudicator wrongly included/excluded in the Adjudicated Amount:	
Date Determination Received by Applicant:	

The Applicant applies for review of adjudication under the Building and Construction Industry Security of Payment Act 2002 (Vic).

 Signed on behalf of the Review Applicant:

 Date:

A copy of the Application for Review of Adjudication Determination, including all attachments must be served on the Review Respondent by the Review Applicant within one business day after this Application is made.

Application Checklist

Threshold for Review:

An Application for Review of Adjudication Determination may only be made by the **Respondent** when:

1. The Adjudicated Amount exceeds \$100,000.00
2. The Respondent provided a Payment Schedule to the Claimant within the time specified in Section 15(4) or 18(2)
3. On the ground that the Adjudicated Amount included an Excluded Amount
4. If the Respondent identified that amount as an Excluded Amount in the Payment Schedule or the Adjudication Response
5. If the Respondent has paid to the Claimant the Adjudicated Amount, other than the amounts alleged to be Excluded Amounts
6. The Respondent has paid the amounts alleged to be Excluded Amounts into a designated Trust Account

An Application for Review of Adjudication may only be made by the **Claimant** when:

1. The Adjudicated Amount exceeds \$100,000.00
2. The adjudicator failed to take into account a relevant amount in making an Adjudication Determination because it was wrongly determined to be an Excluded Amount

An Application for Review of Adjudication Determination may only be made to the ANA which the Application for Adjudication was made.

An Application for Review of Adjudication Determination may only be made within 5 business days after the Respondent or Claimant (whichever is relevant) receives a copy of the Adjudication Determination.

A Respondent to an Application for Review of Adjudication Determination may make a submission to the Authorised Nominating Authority in response to the Application for Review of Adjudication Determination within 3 business days after being given a copy of the adjudication review application.