



Government of Western Australia
Department of Mines, Industry Regulation and Safety
Building and Energy



Construction Contracts Act 2004

Adjudication activity 3rd Quarter 2018/19

May 2019

1. Application statistics (claim numbers and values)

Adjudication applications				
3rd Quarter Claims Number	2018/19	2017/18	Difference	% change
	26	30	(4)	(13.3)%
3rd Quarter Claims Value	2018/19	2017/18	Difference	% change
	\$14.51M	\$18.64M	(\$4.13M)	(22.15)%

Comment

- Application numbers and claims values for the 3rd quarter of 2018/19 retreated from the equivalent 2017/18 measures.
- The lower level of applications continues to trend with the decline in the overall level of activity in the State's construction industry.

2. Appointments for adjudication

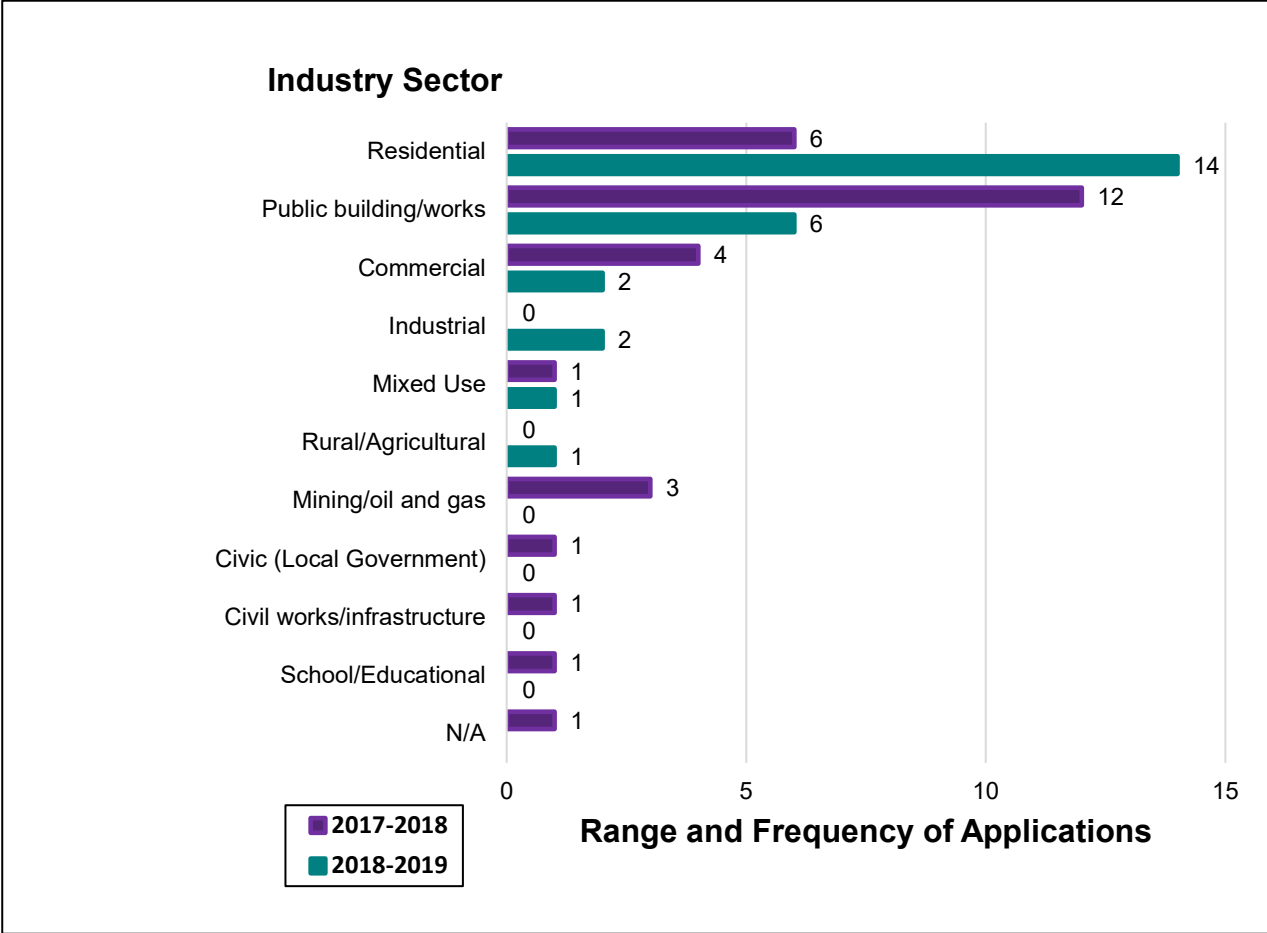
Prescribed Appointor	2018/19	2017/18
Australian Institute of Building (AIB)	5	5 (5*)
Electrical and Communications Association of WA (NECA)	3	3
The Institute of Arbitrators and Mediators Australia (IAMA)	13	9 (1*)
Master Builders Association of WA (MBAWA)	2 (1*)	5
RICS Australasia Pty Ltd	0	2
Self-Appointed	2	0
Total	25 (26*)	24 (30*)

*This includes multiple applications contained in single adjudicated decisions.

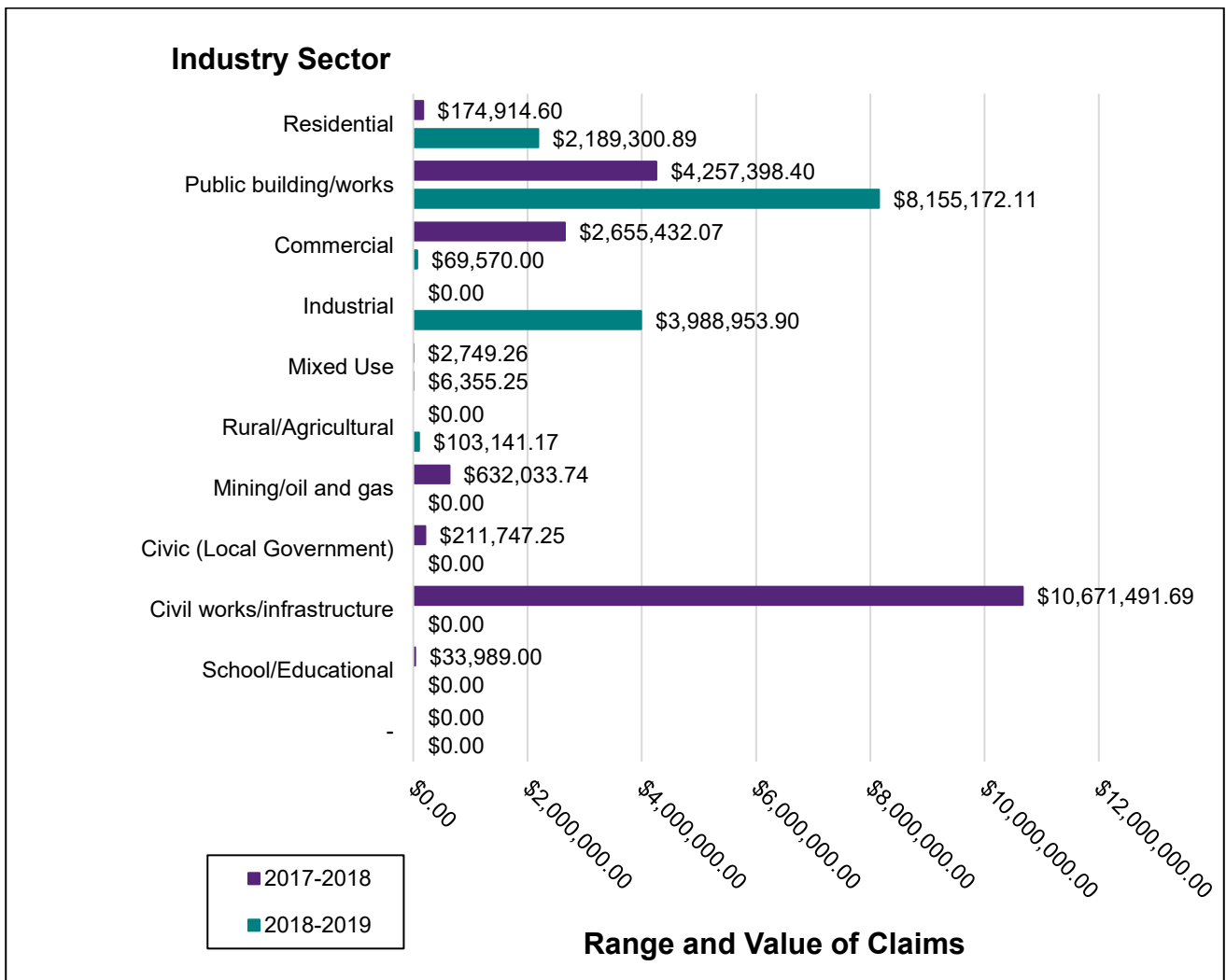
Comment

- The 3rd quarter of adjudicator appointments were spread between the four active appointors prescribed by the Construction Contracts Regulations 2004, plus two who were self-appointed.
- IAMA continued as the lead appointor body for the current reporting period making 50 per cent of all appointments.
- The appointments for payment dispute resolution by adjudication resulted in 7 dismissals, 6 withdrawals and 12 determinations. One application was invalid.

3. Frequency of applications by Construction sector



4. Value of applications by Construction sector



Comment

- For the reporting period adjudication services were used by 6 of 12 identified construction industry sectors.
- Reading (Charts 3 and 4) together shows the residential sector led the number of applications seeking adjudication and had a higher value ranking.
- Public building and works significantly led all other sectors in claims value.
- The Mining/oil and gas sector continued its cyclical downturn evidenced by no application claims for the current reporting period.

Notes

- This summary report has been prepared by the Building and Energy Division of DMIRS and is based on information from prescribed Appointors and registered Adjudicators and other market sources.
- Details of specific construction contract payment disputes are as a practice not available for release due to confidentiality reasons.
- Adjudication activity data is reported for the first quarter, then half yearly, then third quarter and then aggregated into the Annual Report to the Minister in accordance with s.52 of the *Construction Contracts Act 2004*.
- These reports are circulated in the first instance to all Appointors and Adjudicators and then published on the DMIRS website.
- Any questions, comments or queries on these reports should be directed in the first instance to the dedicated mailbox cca@dmirs.wa.gov.au or by phoning 6251 1365 direct or 6251 1367 (Tuesday and Wednesday only).

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