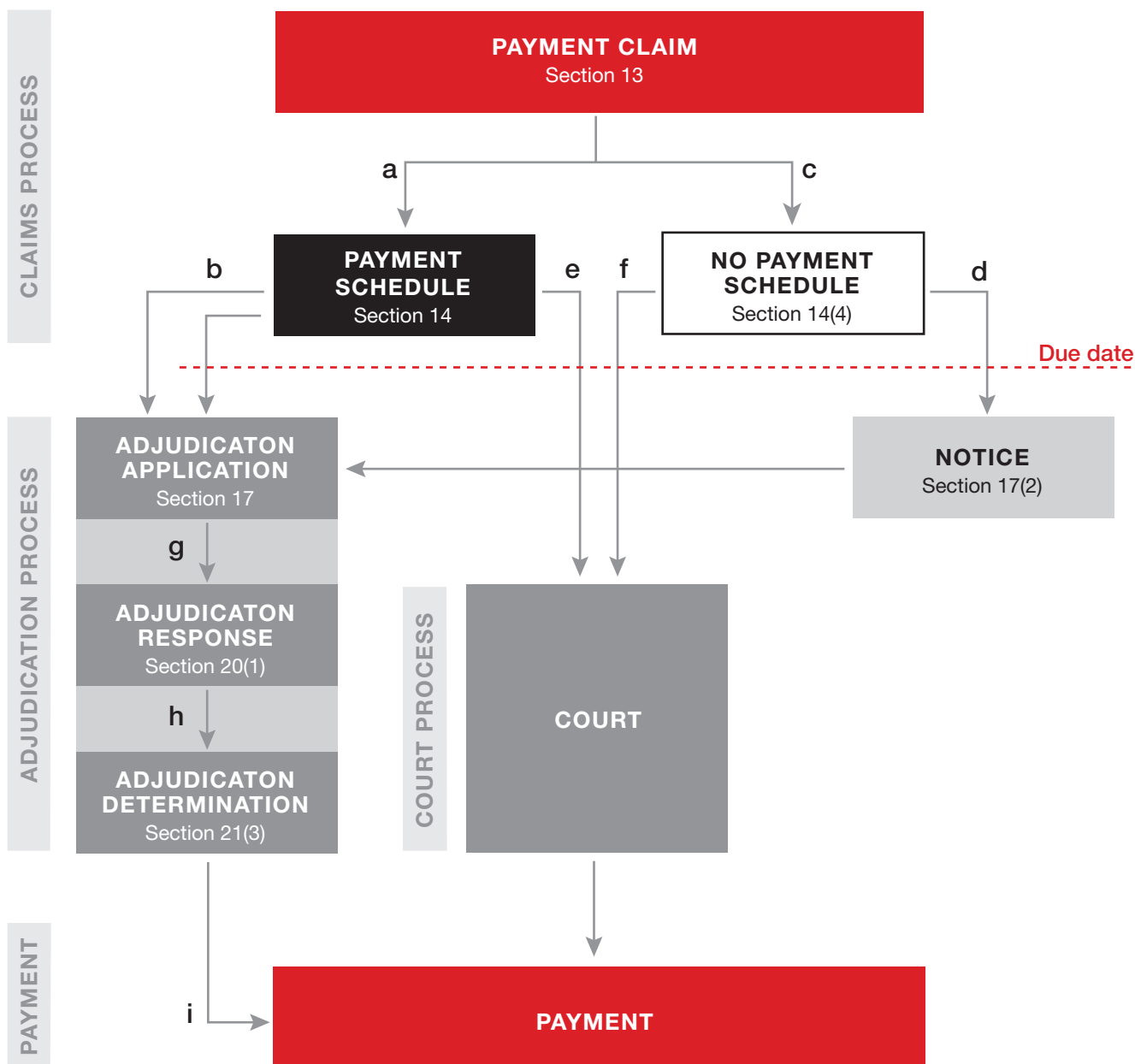


SECURITY OF PAYMENTS



- a** A payment schedule must be provided to the applicant by the respondent within the time required by the relevant construction contract or within 10 business days after receiving a payment claim, whichever is earlier (Section 14).
- b** The time to make an adjudication application varies, depending on the details and circumstances of the payment schedule (Section 17(3)).
- c** If a payment schedule has not been provided by the respondent, within time or at all, the applicant has a choice to either: (a) issue a Section 17(2) notice and proceed to adjudication; OR (b) proceed to Court (Section 15).
- d** If a payment schedule has not been provided in time by the respondent, then the applicant must issue a notice under Section 17(2), before a applicant can proceed to adjudication. Note the time constraints that apply to Section 17(2).
- e** If a sum admitted by a payment schedule is not paid by the respondent by the due date the applicant can commence Court

- f** If a payment schedule has not been provided in time by the respondent, the applicant can commence Court proceedings to recover the sum claimed as a debt due after the due date (Section 15).
- g** Any adjudication response must be made within: (a) 5 business days after receiving the adjudication application, OR (b) 2 business days after receiving the adjudication acceptance notice from the adjudicator, whichever time expires later (Section 20(1)).
- h** The adjudicator is to determine the adjudication application within 10 business days of accepting the application, unless another time frame has been agreed between the parties (Section 21(3)).
- i** The respondent is required to pay any adjudicated amount within: (a) 5 business days after the respondent receives the determination; or (b) at a later date, if so determined by the adjudicator (Section 23(1)).

THIS IS INTENDED AS A GUIDE ONLY AND SHOULD NOT BE USED IN PLACE OF LEGAL ADVICE