

PAYMENT SCHEDULE

TO (CLAIMANT'S NAME): _____

ABN (where applicable): _____

Address (ordinary place of business): _____

Phone Number: _____ Fax Number: _____

FROM (RESPONDENT'S NAME): _____

ABN (where applicable): _____

Address (ordinary place of business): _____

Phone Number: _____ Fax Number: _____

CONTRACT DETAILS:

Project: _____

Contract Number (where applicable): _____

Date when the payment claim was served on the respondent: _____

Reference date (date when claimant can claim and to which claim is calculated): _____

Total amount of this Payment Claim: \$ _____

Amount that the respondent proposes to pay (the "scheduled amount"): \$ _____

If the scheduled amount is less than the claimed amount, the reasons why it is less and the reasons for withholding payment are set out in the Attachment(s) below.

Signed (Respondent):

Date:

ATTACHMENT(S)

Note: Detail all reasons for non payment of any amount shown in the Payment Claim. In an adjudication, the respondent cannot raise in defence any reason not stated here.

This is a payment schedule made under the Building and Construction Industry Payments Act 2004 (Qld).

Payment Schedule

Notes for guidance of the Respondent

1. If a Payment Claim is made under the *Building and Construction Industry Payments Act 2004 (Qld)* on a respondent, the respondent must provide a Payment Schedule if the intent is not to pay the claim in full. This is regardless of whether the respondent believes that the claimant is not entitled to make the claim.
2. The respondent must serve the Payment Schedule on the claimant within 10 business days after being served with the Payment Claim or as otherwise provided by a valid provision of the construction contract.
3. If the respondent fails to serve a Payment Schedule on the claimant within 10 business days after being served with a Payment Claim under the Act, the respondent must pay the full amount of the Payment Claim.
4. The Payment Schedule must identify the Payment Claim to which it relates and must indicate the payment (if any) that the respondent proposes to make.
5. If the amount that the respondent proposes to pay is less than the amount claimed in the Payment Claim, the respondent must set out:
 - a. The amount (if any) that the respondent agrees to pay - the “scheduled amount”;
 - b. The amount that the respondent does not agree to pay under the payment claim;
 - c. Detailed reasons in the attachment(s), as to why the respondent intends not paying any amount with respect to the payment claim;
 - d. Detailed reasons in the attachment(s), as to why the respondent intends withholding any amount with respect to the payment claim including how the valuation of the withheld amount has been calculated.
6. The Payment Schedule may be served in accordance with the Contract or may be served as provided under the Act by delivering it:
 - a. In person to the claimant; or
 - b. By lodging it during normal business hours at the claimant's ordinary place of business; or
 - c. By sending it by post to the claimant's ordinary place of business; or
 - d. By sending it by facsimile to the claimant's ordinary place of business.
7. The Payment Schedule is not served until it is received by the claimant in the correct manner as detailed above. It is important that evidence of serving is kept, for example courier or facsimile receipts.
8. If the amount that the respondent proposes to pay is less than the claimed amount, the claimant may apply for adjudication of the progress payment to be made. The claimant must lodge an adjudication application within 10 business days after receiving the Payment Schedule.
9. The respondent must pay the scheduled amount by the due date for payment under the contract or if the contract does not provide a due date, then within 10 business days after receiving the payment claim.