BUILDING & CONSTRUCTION INDUSTRY SECURITY OF PAYMENT ACT 1999 NSW DUE DATE FOR PAYMENT FLOWCHART

- Contracts made on or after 21 October 2019



Is the contract the main contract for the carrying out of residential building work on such part of any premises as the party for whom the work is carried out resides or proposes to reside in, or is it a subcontract for work that is part of or incidental to the work under the main contract?

Adjudicate Today Pty Ltd Suite 2, 90 Mona Vale Road Mona Vale NSW 2103 Ph:1300 760 297; Fax:1300 760 220 Email: nsw@adjudicate.com.au

No. Yes. Is this a progress claim by a head contractor Was the contract entered into ON to a principal? or AFTER 1 March 2021? Yes. No. Yes. No, the contract was made BEFORE 1 March 2021. This is a claim for a The due date for payment This is claim for a progress payment by a progress payment by a is either: Is the contract between head contractor to subcontractor/supplier. a principal who is a home a principal. (a) the date as provided owner (not a company) The due date for by the construction and the head contractor or The due date for payment is contract: a direct subcontractor? payment is 20 **OR** 15 No. Yes. business days after (b) if the contract is business days after the payment claim was silent. I am a I am the head the payment claim was made, OR an earlier subcontractor contractor made, OR an earlier 10 date if provided in the date if provided in the who is NOT or a direct contruction contract. a direct subcontractor construction contract. business days after the to the owner. subcontractor payment claim was made. to the owner.

The Act
DOES NOT APPLY.

Adjudication
is NOT available.

Unfortunately the
contract was made
before the Act was
amended to allow
claims from a head
contractor to a
residential principal.