

# ADJUDICATE TODAY FORUM

24<sup>TH</sup> MARCH  
2021

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Commissioner**  
SOUTH AUSTRALIA



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# Authorised Nominated Authorities (ANA)

## Current SA List

1. ABC Dispute Resolution Services
2. Adjudicate Today
3. Australian Solutions Centre
4. Resolution Institute (formerly LEADR/ IAMA)
5. Master Builders Association (SA)
6. Nominator
7. RICS Dispute Resolution Service

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# ANA DATA 2018 / 2019

Authorised Nominating Authority	2018 / 2019		
	Number of Adjudications Received / awarded	Total Amount Claimed	Total Amount Awarded
ABC Dispute Resolution Services	2 / 2	\$212,869.10	\$151,164.00
Adjudicate Today	64 / 59	\$32,598,646.51	\$10,183,194.38
Australian Solutions Centre	1 / 1	\$166,792.00	\$155,822.70
Master Builders Association of SA	0 / 0	\$0.00	\$0.00
Nominator	0 / 0	\$0.00	\$0.00
Resolution Institute	13 / 11	\$90,851,012.22	\$6,466,779.58
RICS Dispute Resolution Service	2 / 1	\$7,168,272.01	\$91,524.14
<b>TOTAL</b>	<b>82 / 74</b>	<b>\$130,997,591.84</b>	<b>\$17,048,484.80</b>

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# ANA DATA 2019 / 2020

Authorised Nominating Authority	2019 / 2020		
	Number of Adjudications received / awarded	Total Amount Claimed	Total Amount Awarded
ABC Dispute Resolution Services	1 / 0	\$187,921	\$0.00
Adjudicate Today	55 / 35	\$18,893,798.13	\$3,051,025.32
Australian Solutions Centre	3 / 2	\$3,095,611.07	\$0.00
Master Builders Association of SA	2 / 1	\$60,847.80	\$10,144.20
Nominator	2 / 1	\$93,528.60	\$37,190.22
Resolution Institute	1 / 2	\$25,043,823.50	\$15,754,761.98
RICS Dispute Resolution Service	0 / 0	\$0.00	\$0.00
<b>Total</b>	<b>64 / 41</b>	<b>\$47,375,530.10</b>	<b>\$18,853,121.72</b>

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# ANA DATA 2020 / 2021

Quarter 1 and 2  
July 2020 –  
December 2020

Authorised Nominating Authority	2020 / 2021		
	Number of Adjudications received / awarded	Total Amount Claimed	Total Amount Awarded
ABC Dispute Resolution Services	1 / 1	\$2,266.00	\$2,266.00
Adjudicate Today	12 / 6	\$837,806.48	\$107,235.22
Australian Solutions Centre	0 / 1	\$0.00	\$290,324.91
Master Builders Association of SA	0 / 0	\$0.00	\$0.00
Nominator	0 / 0	\$0.00	\$0.00
Resolution Institute	4 / 2	\$98,613,695.31	\$15,131,719.08
RICS Dispute Resolution Service	0 / 0	\$0.00	\$0.00
<b>Total</b>	<b>17 / 10</b>	<b>\$99,453,767.79</b>	<b>\$15,531,545.21</b>

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**ANA DATA**  
*From Financial  
 Years  
 2014/15 To  
 Quarter 2 2020*

<b>Authorised Nominating Authority</b>	<b>Number of Adjudications RECEIVED</b>	<b>Number of Adjudications AWARDED</b>
Able Adjudication*	5	4
ABC Dispute Resolution Services	15	13
Adjudicate Today	258	163
Australian Solutions Centre	12	8
Institute of Arbitrators and Mediators - SA Chapter#	14	12
Master Builders Association of SA	7	2
Nominator	2	1
Resolution Institute	29	23
RICS Dispute Resolution Service	12	6

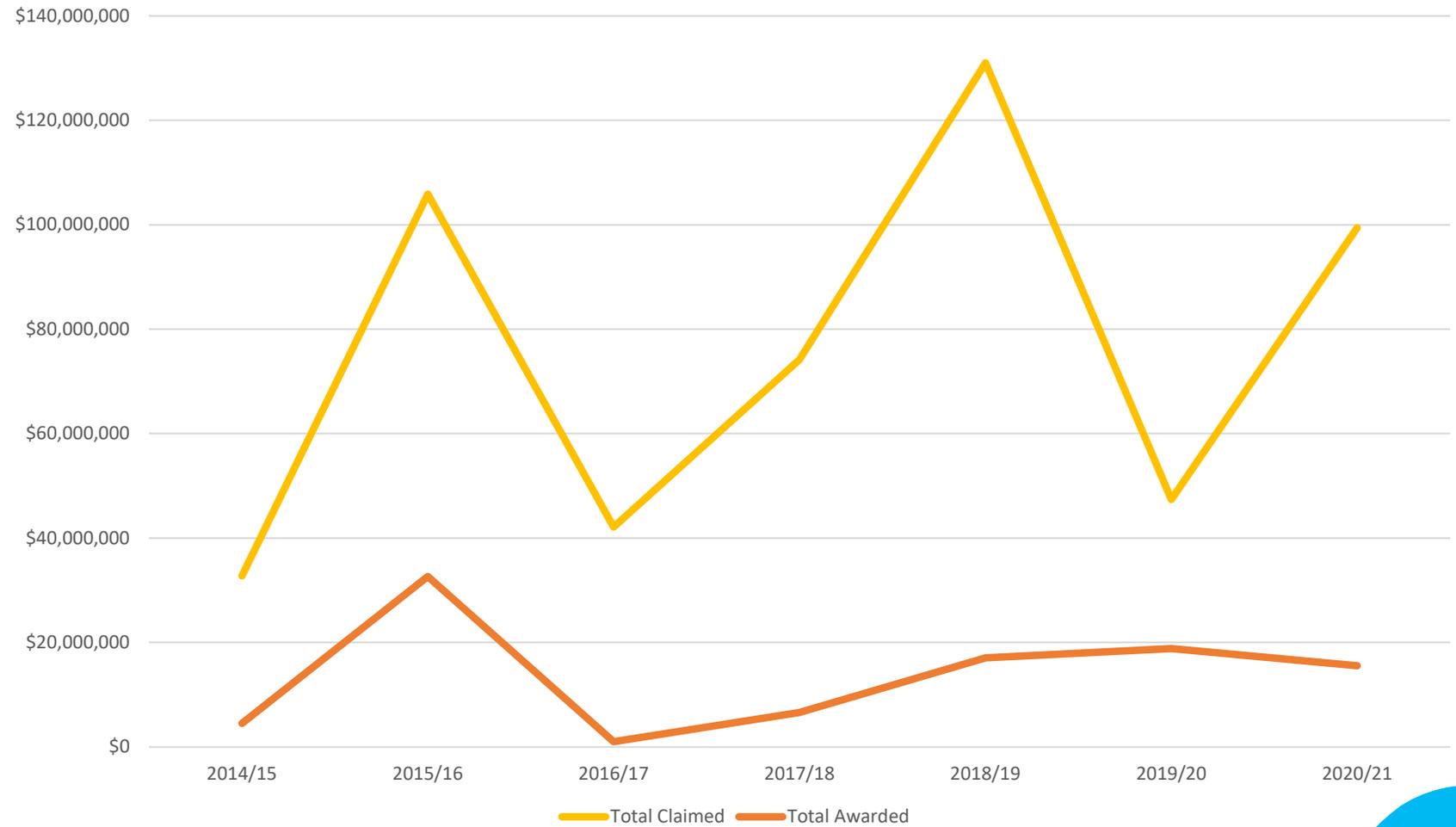
\*Able Adjudication's ANA resources were absorbed into the Australian Solutions Centre ANA and it was de-authorised as an ANA on Friday 21 October 2016.

#Institute of Arbitrators and Mediators - SA Chapter changed to RICS Dispute Resolution Service

**ANA DATA**  
*1/7/2014 -  
30/6/2019*

### Amount Claimed and Awarded Each Year

2020/21 only includes Q1 & Q2



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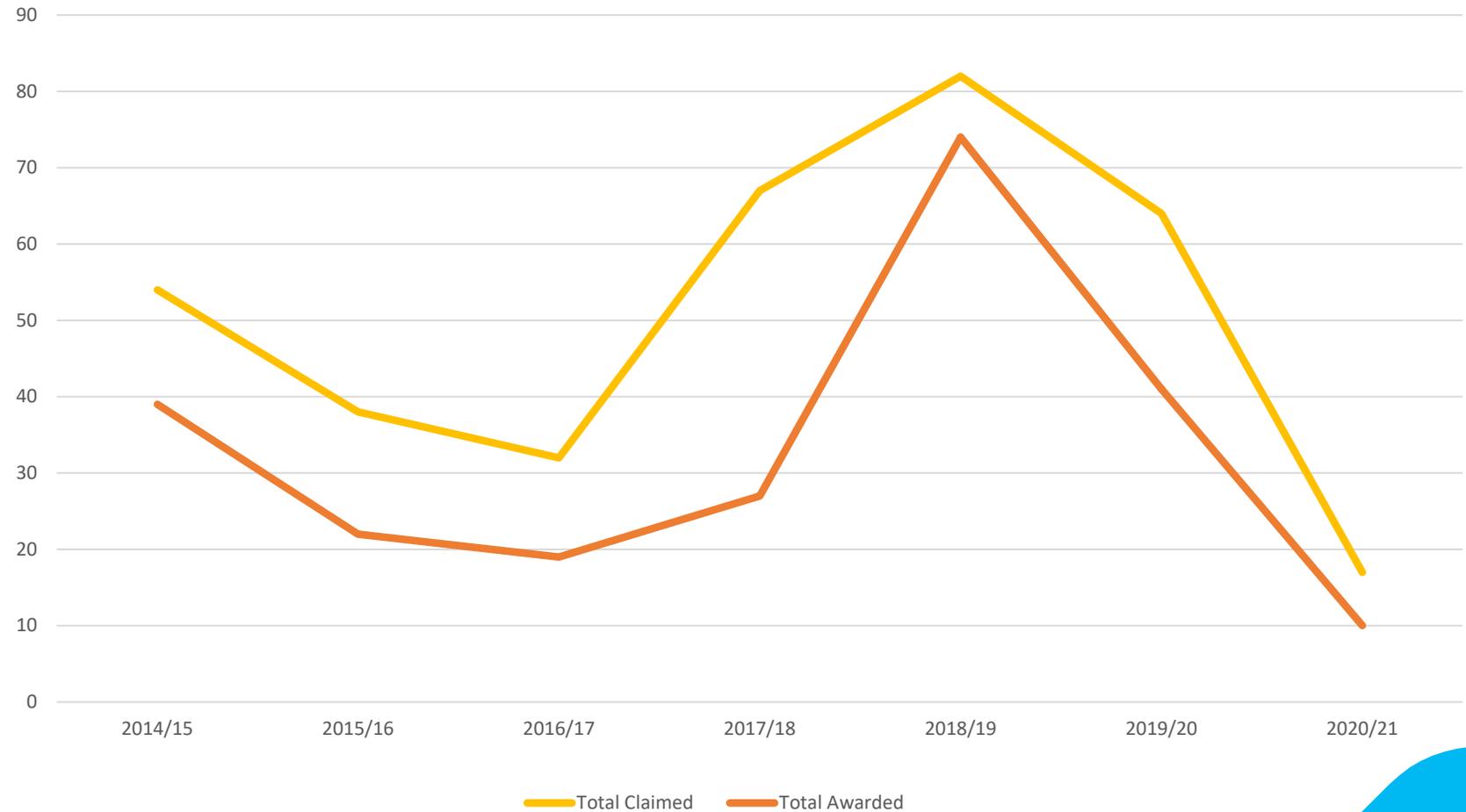
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**ANA DATA**  
*1/7/2014 -  
30/6/2019*

Number of Adjudications Claimed and Awarded Each Year  
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# National Review

- Extensive consultation with stakeholders in second half of 2018 and early 2019 and 2020
- Comprehensive testing of proposed recommendations against existing South Australian legislation
- Informed by assessment of recommendations and feedback from consultation on the Review
- SA Small Business Commissioner supportive of most, but not all, recommendations from Murray Review
- Mixed response from industry
- Most concern surrounds trusts

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## The Murray Review made 86 recommendations

**26** already feature in SA legislation and do not require legislative change

**44** - supported and require legislative change and were included in draft consultation Bill in 2019.

**12** - not supported and include:

- Parties to a payment dispute may agree on an accredited adjudicator
- Application to regulator for a review of an adjudication decision
- No separate mechanism to specifically deal with enforcement of disputed payment claims

**4** **Deferred** pending model legislation being developed at a national level to deal with statutory trusts.



*Building And  
Construction  
Industry Security Of  
Payment (Review  
Recommendations)  
Amendment Bill  
2020*

The *Building and Construction Industry Security of Payment (Review Recommendations) Amendment Bill 2020* (the 2020 Bill) was released for consultation on 20 December 2019

The 2020 Bill incorporates the majority of the Murray Review recommendations and also changes put forward in the 2017 Bill



*Building And  
Construction  
Industry Security Of  
Payment (Review  
Recommendations)  
Amendment Bill  
2020*

Consultation on the draft 2020 Bill conducted by the Attorney-General's Department

Consultation on the 2020 Bill closed on 17 February 2020



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*Building And  
Construction  
Industry Security Of  
Payment (Review  
Recommendations)  
Amendment Bill  
2020*

Bill delayed due to COVID-19

Expected to be introduced to Parliament in April/May  
2021



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# THANK YOU

If you need the assistance of the Small Business Commissioner, you can phone the Office of the Small Business Commissioner to talk to a Case Officer or Retail Bonds Officer, send us an email or fax with your request for assistance, or visit our website for further information.

 Toll Free 1800 072 722 or 08 8303 2026

 08 8303 0943

 [sasbc@sa.gov.au](mailto:sasbc@sa.gov.au)

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