

REQUEST FOR AN ADJUDICATION CERTIFICATE
 Building and Construction Industry Security of Payment Act 2002 (Vic)

Please refer to Guidance Notes (attached to this form) for information regarding when a Request for an Adjudication Certificate may be made.

CLAIMANT:

Claimant Company Name:			
ABN:		ACN:	
Claimant Address:			

RESPONDENT:

Respondent Name:			
ABN:		ACN:	
Respondent Address:			

DETERMINATION:

Application Number:		Adjudicator:	
Date of Determination:		Adjudicated Amount:	
Due Date for Payment:		Adjudicated Amount not paid/released: (at today's date)	

INTEREST:

The Claimant MAY request Adjudicate Today to specify in the Adjudication Certificate the amount of interest payable (if any) arising from the Determination of the Adjudicator.

I do <u>not</u> wish to include interest		I wish to include interest, and all sections below have been completed	
In respect of the Adjudicated Amount, the Claimant has received these amounts on these dates:			on
			on
			on
Rate of interest determined by the Adjudicator:			%
Total amount of interest due at date of application:			
The amount of interest due daily is:			
<i>If necessary, please attach a schedule showing interest calculation.</i>			

ADJUDICATION FEE:

The Claimant is entitled to recover the Respondent's share of any adjudication fee paid by the Claimant. In order to recover the Respondent's share, please provide the following particulars.

Total Adjudication fee payable (Adjudicator's fee):	
Total adjudicator's fee paid by Claimant:	
Proportion which the Adjudicator determined must be paid by the Respondent:	%

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CERTIFICATE FEE:

Full payment of the applicable fee is required prior to Adjudicate Today processing this request.

Adjudicated amount	Up to \$15 000	\$15 001 to \$40 000	\$40 001 to \$750 000	Over \$750 000
Fee (incl GST)	\$110	\$330	\$550	\$825

The applicable fee will be transferred to Adjudicate Today and the transfer receipt emailed to vic@adjudicate.com.au

BSB: 082 057 **Account number:** 57150 0017 **Account name:** Adjudicate Today Pty Limited

I request Adjudicate Today to call the following contact to obtain credit card details for payment:

Contact: _____ Phone: _____

CERTIFICATE TO BE SENT TO:

Company Name:	
Contact Name:	
Address:	

DECLARATION (by Claimant or authorised representative):

Signature:		Date:	
Name:		Phone:	

GUIDANCE NOTES

1. The request must be lodged with the Authorised Nominating Authority (ANA) which nominated the Adjudicator.
2. The request cannot be made before the expiration of either 5 business days after the Adjudicator’s Determination was served on the Respondent or immediately after a later date (determined by the Adjudicator) as the date on which the amount became due for payment/release.
3. The request cannot be made unless the Respondent fails to pay/release the whole or any part of the Adjudicated Amount at the date of the request.
4. The request must be accompanied by the fee charged by the ANA for issue of the Adjudication Certificate.
5. The Claimant must complete the declaration on the Application Form. If the Claimant is a company, then an officer duly authorised by the company should complete the Application Form.

Calculating Interest

1. Interest will not be included in the Adjudication Certificate unless the Claimant completes the Interest section of this application.
2. Interest must be calculated at the rate determined by the Adjudicator in the Adjudication Determination. Interest is simple interest unless the Adjudicator has determined otherwise.
3. In calculating interest, the date upon which the amount became due for payment/release (as determined by the Adjudicator) should not be included but the date of this application should be included.
4. In respect of the amount determined by the Adjudicator, interest should be calculated only on unpaid amounts as at the date of this application.
5. The interest rate determined by the Adjudicator does not apply to adjudication fees.
6. Any interest calculation which covers two or more periods must be shown as a separate interest calculation.
7. The formula which may be used to calculate simple interest payable is as follows:

Formula

$$\text{Adjudicated Amount (incl GST)} \times \text{Number of days since due date for payment} \div 365^* \times \text{Rate of Interest} = \text{Interest Due}$$

Example

$$\$110,000 \times 31 \div 365 \times 10\% = \$934.25$$

*366 for leap year calculations.

Rate Prescribed under section 2 of the *Penalty Interest Rates Act 1983*

The reference to the “prescribed rate” of interest under section 2 of the *Penalty Interest Rates Act 1983* is a reference to “...the interest rate expressed as a percentage fixed by the Attorney-General from time to time by notice published in the Government Gazette...”

Therefore, the rate prescribed under section 2 of the *Penalty Interest Rates Act 1983* may vary. The following table provides what Adjudicate Today understands is the relevant interest rate under section 2 of the *Penalty Interest Rates Act 1983* for certain periods:

PERIOD	INTEREST RATE (%)*
1/08/2014 to 31/05/2015	10.5
1/06/2015 to 31/01/2017	9.5
1/02/2017 to date	10

*** In all cases, the Claimant MUST make its own enquiries to satisfy itself of the relevant rate of interest.**

Adjudicate Today Pty Ltd Phone: 1300 760 297 Fax: 1300 760 220 ABN 39 109 605 021 www.adjudicate.com.au						
NSW	QLD	VIC	ACT	TAS	SA	WA
Suite 2	Level 18	Level 27	Level 1	Level 6	Level 30	Level 28
Mona Vale Business	324 Queen Street	101 Collins Street	The Realm	Reserve Bank Building	Westpac House	AMP Tower
90 Mona Vale Road	Brisbane City Qld 4000	Melbourne Vic 3000	18 National Circuit	111 Macquarie Street	91 King William Street	140 St Georges Terrace
Mona Vale NSW 2103			Barton ACT 2600	Hobart Tas 7000	Adelaide SA 5000	Perth WA 6000
nsw@adjudicate.com.au	qld@adjudicate.com.au	vic@adjudicate.com.au	act@adjudicate.com.au	tas@adjudicate.com.au	sa@adjudicate.com.au	wa@adjudicate.com.au