

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

The Claimant requests Adjudicate Today to provide an Adjudication Certificate under Section 28Q of the Building and Construction Industry Security of Payment Act 2002 (Vic).

The Claimant must ensure all details are correct and complete.
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

Section 1			
Adjudication Application No.:			
Claimant Name:			
Claimant Address:			
Claimant ACN:		Claimant ABN:	
Respondent Name:			
Respondent Address:			
Respondent ACN:		Respondent ABN:	
Adjudicator:		Date of Determination:	
Due Date for Payment: (as shown on Determination)			
Adjudicated Amount: (as shown on Determination)		Amount of Adjudicated Amount unpaid: (as at today's date)	

Section 2	
<i>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>	
<input type="checkbox"/> I do not wish to include interest <input type="checkbox"/> 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 ____/____/____ (if no payment was received – insert "Nil")
The rate of interest determined by the Adjudicator is: (see Section 2 Guidance Notes)	%
The total amount of interest due at the date of this application is*:	\$
The amount of interest due daily is:	\$
*Please attach a schedule demonstrating how you have calculated the interest amount. An example calculation appears on Page 3.	

Section 3

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.

I do not wish to include the adjudication fee

I wish to include the adjudication fee, and all sections below have been completed

Fees and expenses payable

Total adjudication fee payable (Adjudicator's Fees):	\$
Total adjudication fee paid by Claimant:	\$
Proportion which the Adjudicator determined must be paid by the Respondent:	%

Payment

*Payment is required for the adjudication certificate in accordance with the fee schedule on page 1 of this form. Please note that payment **must clear in the Adjudicate Today bank account** before the certificate can be issued.*

Please select:

The funds will be transferred via electronic transfer into the following account:

BSB: 082 057

Account number: 57150 0017

Account name: Adjudicate Today Pty Limited

The transfer receipt will be emailed to vic@adjudicate.com.au.

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

Contact in Declaration section below; or

Contact: _____ Phone: _____

***Please note that a surcharge will be applied to payments made by credit/debit card.**

The address that the Adjudication Certificate should be express posted to

To be sent to address on page 1 of this form

To be sent to the address indicated below

Company Name:		Contact Name:	
Address:		Suburb:	
State:		Postcode:	

Declaration

I am:

the Claimant

an authorised representative of the Claimant

Signature:		Date:	
Print Name:		Phone:	

Please refer to Section 1 of the Guidance Notes for information regarding when a Request for an Adjudication Certificate may be made

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 Mona Vale Business 90 Mona Vale Road Mona Vale NSW 2103	Level 18 324 Queen Street Brisbane City Qld 4000	Level 27 101 Collins Street Melbourne Vic 3000	Level 1 The Realm 18 National Circuit Barton ACT 2600	Level 6 Reserve Bank Building 111 Macquarie Street Hobart Tas 7000	Level 30 Westpac House 91 King William Street Adelaide SA 5000	Level 28 AMP Tower 140 St Georges Terrace 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

Request for an Adjudication Certificate Guidance Notes

Section 1

1. The request must be lodged with the Authorised Nominating Authority 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 progress payment became payable.
3. The request cannot be made unless the whole or part of the Adjudicated Amount remains unpaid.
4. The request must be accompanied by the fee charged by the Authorised Nominating Authority.

Section 2

1. Interest **will not** be included in the Adjudication Certificate unless the Claimant completes Section 2.
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 progress payment became payable (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 the Request for an Adjudication Certificate.
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

Adjudicated Amount (incl GST) x Number of days since ÷ 365* x Rate of = Interest
 due date for payment Interest Due

Example

\$110,000 x 31 ÷ 365 x 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 s.101 of the *Civil Procedure Act 2005* 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.

Section 3

1. If the Claimant has paid the Respondent's share (or part of the Respondent's share) of the adjudication fee (fees of the Adjudicator), the Claimant should complete Section 3.
2. The adjudication fee **will not** be included in the Adjudication Certificate unless the Claimant completes Section 3.

Declaration

1. The Claimant must complete the declaration on Page 2 of the Application Form.
2. If the Claimant is a company, then an officer duly authorised by the company should complete the Application Form.

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 Mona Vale Business 90 Mona Vale Road Mona Vale NSW 2103	Level 18 324 Queen Street Brisbane City Qld 4000	Level 27 101 Collins Street Melbourne Vic 3000	Level 1 The Realm 18 National Circuit Barton ACT 2600	Level 6 Reserve Bank Building 111 Macquarie Street Hobart Tas 7000	Level 30 Westpac House 91 King William Street Adelaide SA 5000	Level 28 AMP Tower 140 St Georges Terrace 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