

# Adjudication review application by respondent

Building and Construction Industry (Security of Payment) Act 2021 (WA)

## Respondent's details

Respondent's name:	Trading name: (IF DIFFERENT)
<input type="text"/>	<input type="text"/>
ABN: (WHERE APPLICABLE)	Address: (ORDINARY PLACE OF BUSINESS)
<input type="text"/>	<input type="text"/>
Telephone: (INCLUDE AREA CODE)	Email:
<input type="text"/>	<input type="text"/>

## Respondent's representative (IF APPLICABLE)

Name of person:	Name of person's firm:
<input type="text"/>	<input type="text"/>
Telephone: (INCLUDE AREA CODE)	Email:
<input type="text"/>	<input type="text"/>

## Claimant's details

Claimant's name:	Trading name: (IF DIFFERENT)
<input type="text"/>	<input type="text"/>
ABN: (WHERE APPLICABLE)	Address: (ORDINARY PLACE OF BUSINESS)
<input type="text"/>	<input type="text"/>
Telephone: (INCLUDE AREA CODE)	Email:
<input type="text"/>	<input type="text"/>

## Claimant's representative (IF APPLICABLE)

Name of person:	Name of person's firm:
<input type="text"/>	<input type="text"/>
Telephone: (INCLUDE AREA CODE)	Email:
<input type="text"/>	<input type="text"/>

## Adjudication determination details:

Adjudicator's name:	<input type="text"/>
Date of adjudication determination:	<input type="text"/>

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## Adjudication review application by respondent (cont'd)

### Pre-requisite for adjudication review application

- The respondent gave the claimant a payment schedule within the time allowed for under the Act; and
- The respondent gave the adjudicator an adjudication response within the time allowed for under the Act; and
- The adjudicated amount is more than the scheduled amount and the amount of that difference exceeds \$200,000.00 (incl. GST); and
- The claimant has not already applied for a review of the adjudicator's determination (or if the claimant has already applied, the claimant has withdrawn their application); and
- This application is made within 5 business days after the respondent was given a copy of the adjudicator's determination; and
- The respondent has paid any part of the adjudicated amount that is not disputed by the respondent to the claimant. The undisputed amount paid is: \$  ; and
- The respondent has paid the adjudicated amount (or part) that is disputed by the respondent into a trust account with a recognised financial institution. Details of such payment are:

BSB:	Account number	Name of account	Amount deposited
<input type="text"/>	<input type="text"/>	<input type="text"/>	\$ <input type="text"/>
- The Respondent has given the claimant written notice of the payment into the trust account, together with information that identifies the trust account. The notice was given on:

### Required copies of documents to be included:

- Construction contract or the relevant provisions of the construction contract;
- The payment claim;
- The payment schedule;
- The adjudication application;
- The adjudication response;
- Submissions made to the adjudicator by the parties (including the accompanying documents);
- The adjudicator's determination;
- The respondent's submissions relevant to the present review application that the claimant chooses to include.

### Respondent (or representative) signature and date

- The respondent will give a copy of this adjudication review application (including all accompanying documents) to the claimant within one (1) business day after this application has been made.

Signed:

(FOR AND/OR ON BEHALF OF RESPONDENT)

Date: