

SESSION 1 – MAKING A CLAIM

General Overview:

- Claimants that are covered by the Act
- Construction contracts that are covered by the Act
- Construction contract that are not covered by the Act

Payment Claims

- Rights to Progress Payments
- Definition of Progress Payment under the Act
- Time to make a claim for Progress Payments
- Amount of Progress Payment that can be claimed
- Valuation of the Works that will be claimed

Procedure for a Payment Claim

- How to make a claim?
- How many Payment Claims can be served?
- What should be included in a Payment Claim?
- What is the proper format of a Payment Claim?
- Who should be served with the Payment Claim?
- How to carry out proper service of the Payment Claim?
- What constitute improper service of the Payment Claim?

Adjudication Applications

- When can a Claimant make an Adjudication Application?
- What is the format of an Adjudication Application?
- When should the Adjudication Application be made?
- Who should be served with the Adjudication Application?
- How to carry out proper service of the Adjudication Application?
- Who is an eligible Adjudicator? How is an Adjudicator appointed?
- What are the Adjudication procedures?
- What should be included in the Adjudicator's Determination?

Enforcement of Claimant's claim

- If Respondent fails to lodge a Payment Schedule
- If Respondent lodges a Payment Schedule and Fails to Pay
- If Respondent's Payment Schedule is less than the Payment Claim
- If Respondent fails to comply with Adjudicator's Determination
- Recovery from Principal

SESSION 2 – DEFENDING A CLAIM

General Overview

- Respondents that are covered by the Act
- Construction contracts that are covered by the Act
- Construction contract that are not covered by the Act

Payment Schedules

- How to respond to a Payment Claim?
- When to lodge a Payment Schedule?
- What should be included in the Payment Schedule?
- What is the proper format of a Payment Schedule?
- Who should be served with the Payment Schedule?
- How to carry out proper service of the Payment Schedule?
- What constitute improper service of the Payment Schedule?

Adjudication Applications

- How to respond to an Adjudication Application?
- What is the format of an Adjudication Response?
- When should the Adjudication Response be made?
- Who should be served with the Adjudication Response?
- How to carry out proper service of the Adjudication Response?
- Who is an eligible Adjudicator?
- How is an Adjudicator appointed?
- What are the Adjudication procedures?
- What should be included in the Adjudicator's Determination?

Respondent's liabilities and risks under the Act

- Respondent fails to lodge a Payment Schedule
- If Respondent lodges a Payment Schedule and Fails to Pay
- If Respondent's Payment Schedule is less than the Payment Claim
- Upon the release of the Adjudicator's Determination
- If Respondent fails to comply with Adjudicator's Determination
- Claimant's right to recover from Principal