

Payment disputes in the construction industry

Adjudication by independent, experienced and trusted professionals in WA

Resolution Institute — the peak prescribed appointer in WA



Do you have a payment dispute?

We can find you an independent, professional, experienced and trusted senior adjudicator

Resolution Institute is the largest and longest running dispute resolution membership body in Australia and Aotearoa New Zealand and has a large variety of highly esteemed practitioners, covering all areas of dispute resolution.

Resolution Institute has been a prescribed appointer and approved training provider under the *Construction Contracts Act 2004 (WA)* (the Act) since it came into operation in Western Australia on 1 January 2005.

The Act supports good payment practices in the building and construction industry and provides an effective rapid adjudication process for payment disputes.

The *Construction Contracts Act 2004* will be superseded by the *Building and Construction Industry (Security of Payment) Act 2021*. Resolution Institute (along with all other organisations) will apply to become a nominating authority (previously known as a prescribed appointor under CCA).



Why us?

The following sets us apart from other organisations:



High standards of professional practice

Our commitment to promote and foster the use of dispute resolution and develop high standards of professional practice.



No upfront or application fees

Applicants are not charged any upfront or application fees, and there are no additional administrative fees charged to the parties.



Education and member support

As a not-for-profit organisation, education and member support is the driving factor for us — not profit.



Environmentally friendly processes

Applications are submitted and stored online, and sent to the adjudicator electronically. No hard copies are required.#



Impartiality

We stand back and allow our experienced dispute resolvers to determine jurisdiction matters without unnecessary input from us.

Applicants may still elect to serve us with a hard copy application if that is more convenient for them.

How does it work?

A rapid adjudication process helps individual parties and the industry with cash flow issues. This process allows an experienced and independent adjudicator to review the claim, and where satisfied that some payment is due, to make a binding determination for money to be paid.

Resolution Institute provides you with access to **independent, professional, experienced and trusted senior adjudicators**. We have the most diverse group of not only legally qualified adjudicators, but a **wide range of technical specialists**, such as builders, plumbers, engineers and architects — all leaders in their fields.

We select adjudicators who are **ideally suited to the technical or legal issues** to be determined in an adjudication, particularly where they concern complex variation, delay, disruption or quantification issues.

We are renowned for the **impartial, meticulous, expeditious determinations** of our adjudicators. All determinations are peer reviewed.



Ease of lodgement 24/7

Resolution Institute will use a state-of-the-art online lodgement system, known as QuickFiles, designed specifically for Resolution Institute, and which allows 24/7 lodging of applications.

Applicants will be able to lodge larger applications electronically (up to 1GB per document with no limit on the number of documents) at:

resolution.institute/resolving-disputes/quickfiles

Applicants will receive an immediate response confirming lodgement.

Lodge application

The highest frequency of adjudicator appointments by a prescribed appointor was 29, by Resolution Institute, making up 40.16% of total adjudications for 2020-2021.

Source: *REPORT OF THE BUILDING COMMISSIONER FOR THE FINANCIAL YEAR TO 30 JUNE 2021*, Government of WA Department of Mines, Industry Regulation and Safety Building and Energy

Other services

Resolution Institute can also assist with enquiries or nomination of a dispute resolver in most other dispute resolution processes, including:

- arbitration
- mediation
- expert determination
- conciliation
- conflict coaching
- family dispute resolution, and
- restorative justice.

Who can I call to discuss?

Please do not hesitate to contact our dedicated Western Australian Nomination Services Officer for any questions.

Helen Goddard

Email: helen.goddard@resolution.institute

Phone WA office: 08 6278 2022



www.resolution.institute