

Construction Contracts Act 2002

INTRODUCTION	1
1. SYNOPSIS	3
2. APPLICATION OF THE ACT	5
Introduction	5
Definition of "construction contract"	5
Definition of "construction work"	6
When the Act applies and does not apply	7
3. PAYMENT PROVISIONS	9
1. Prohibition on "pay when paid" and "pay if paid" clauses	9
2. Progress payment provisions	10
3. Payment claims and payment schedules	12
Payment procedure	15
4. ADJUDICATION	17
Introduction	17
Disputes that may be referred to adjudication	18
Other dispute resolution procedures preserved	19
Notice of adjudication	20
Selection of adjudicator	22
Acceptance and eligibility	24
Adjudication claim and response	24
Jurisdiction and powers of adjudicator	25
Representation	27
Matters to be considered by adjudicator	27
Adjudication procedure	28
Timing of determination	30
Form of determination	30
Substance of determination	30
Owner who is not the respondent may seek District Court review	31
Costs	32
Adjudicator's fees	33
Enforcement of determination	33
Consolidation of adjudication proceedings	35
Withdrawal of notices of adjudication and adjudication claims	35
Confidentiality	35
Adjudicators' and experts' liability	36
Other enactments	36
5. REMEDIES	37
1. Right to suspend work	37
2. Enforcement as a judgment	38
3. Charging orders	39
<i>Associated persons</i>	39

<i>The obtaining and effect of a charging order</i>	41
4. Personal Property Securities Act	42
6. CONCLUSION	43
APPENDIX – CONSTRUCTION CONTRACTS ACT 2002	45