

Certificate in Adjudication

Application to Attend Training Course

12, 13 and 14 February 2018

Please email Completed Application to
BCIPATraining@contractadmin.net



Contract Administration Group Pty Ltd
ABN 39 052 986 544
Level 23, Pipe Networks House
127 Creek Street, BRISBANE QLD 4000
Ph: (612) 4659 6200 | Fax: (617) 3221 9438
Course Email: BCIPATraining@contractadmin.net

Building and Construction Industry Payments Act 2004 (Queensland)

Applicant's Details	
Family Name: _____	Other Names: _____
Preferred Name for Badge: _____	
Street Address: _____	
Postal Address: _____	
Phone Land Line: _____	Mobile: _____
E-Mail Address: _____	Fax: _____
Course Workload Commitment	
I will be available to undertake compulsory Pre-Course Work which requires 10 -20 hours of my time.	Yes/No
I will be available 08:15 until 17:00 on each of 12, 13 & 14 February 2018 to attend the course in Brisbane.	Yes/No
Documents for a Mock Adjudication will be provided to candidates on or by 13 February 2018. I will be available to complete the Mock Adjudication on or before 7 March 2018 without any extension of time.	Yes/No
I am computer literate.	Yes/No
I understand that I must supply a laptop computer if I want it for my own use in the training sessions and the examinations.	Yes/No
Profession and Experience (This information is optional. Its purpose is to inform trainers about the level of knowledge that can be anticipated in particular sessions such as legal, technical, practice of adjudication, decision making, decision writing, professional writing. The responses to these questions will not be considered in relation to acceptance of the application for course attendance.)	
My Profession/Trade is _____ . Approximate years working in profession/trade <3; <5; <10; >10	
Approximate proportion of construction related work in my profession/trade work 0% 25% 50% 75% 100%	
I have prepared or assisted with approximately ___ adjudication applications and/or adjudication responses under the BCIPA or equivalent legislation from other jurisdictions.	
I am/have been an adjudicator under the BCIPA	Yes/No
I have conducted ___ BCIPA adjudications and ___ adjudications under legislation similar to the BCIPA.	
Course Material	
Course material and reference documents will be made available partly in hard copy and partly in soft copy.	
Examinations will be provided in both hard copy and soft copy and may be completed and submitted in either format.	
The Mock Adjudication documentation will be provided in Soft Copy only. The Mock Adjudication is to be emailed as a PDF attachment to BCIPATraining@contractadmin.net when completed.	

Course Fees

I understand that a Certificate in Adjudication will not be issued unless I achieve a minimum of 75% in each and every examination (other than the pre-course assignment) and demonstrate competency in the Mock Adjudication Yes/No

Option 1: I understand that the course attendance fee for Certificate in Adjudication Training is \$2888 incl GST per candidate. Yes/No

Option 2: Depending on numbers for the Certificate in Adjudication Training, places may be available for professional development and learning only (Non-Certificate Training). I understand that the course attendance fee for the Non-Certificate Training will be \$2488 including GST per candidate. This option does not include any examinations or the Mock Adjudication. Yes/No

I understand that if I do not attend the course or do not complete the course or do not demonstrate competency in any elements of the course no part of the course attendance fee is refundable other than in accordance with the Refund Policy set out in the Certificate in Adjudication Course Outline. Yes/No

I understand that there are a limited number of places available on the course to be held on 12, 13 & 14 February 2018. Yes/No

I understand that if a place is available on the course, an invoice for the course fee will be sent to the email address provided in this completed application. I understand that the invoice must be paid within 7 calendar days from the date of invoice and that if the invoice is not paid in full within that time the invoice will be cancelled, my application will be taken to have lapsed and the offer of a place will lapse. Yes/No

The invoice for the course fee is to be issued in the name of the following entity:

_____ ABN _____

Address: _____

I hereby apply to attend the Certificate in Adjudication training on 12, 13 and 14 February 2018 for the purpose of attempting to qualify for the Certificate in Adjudication (**Option 1 above**). Yes/No

I hereby apply to attend the Certificate in Adjudication training on 12, 13 and 14 February 2018 for the purpose of learning only without attempting to qualify for the Certificate in Adjudication (**Option 2 above**). Yes/No

Particular Needs

Dietary Needs _____

Mobility Needs _____

Any other Special Needs _____

Applicant's Comments or Questions (if any)

Person to Notify in Case of Emergency (optional)

Name

Phone details:

E-Mail Address:

Agreement and Signature

By submitting this application, I acknowledge that I have read the "Certificate in Adjudication Course Outline" and I acknowledge that submission of this application does not assure me of a place at the training in February 2018.

Email Completed Application to: BCIPAtesting@contractadmin.net

Do Not Include Payment with this Application.

Name (printed)

Signature

Date:



Certificate in Adjudication Training Course 12, 13 & 14 February 2018

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Building and Construction Industry Payments Act 2004 (Queensland)

Certificate in Adjudication Course Outline

Course Content:

Course content is directed to the Elements set out in the *Building and Construction Industry Payments Regulation* for the Certificate in Adjudication. The course will consider such things as:

- Role and functions of the adjudicator
- Role and functions of the adjudication registry, including registrar, procedural aspects, referral process, administration, reporting, adjudication certificates
- Overview and analysis of the *Building and Construction Industry Payments Act 2004*, language of adjudication and related statutes
- Practical aspects of adjudication including standard claim adjudication processes and complex claim adjudication processes, service of documents, communication, counting time, definitions, submissions, inspections, conference, withdrawal, use of an agent, getting paid
- Ethics, natural justice, good faith
- Decision making and decision writing, release of decision
- Legal concepts for adjudicators including contracts, other legal rights and obligations, case law, proof and onus, estoppel, submissions, basic and essential requirements, more detailed requirements, void decisions
- Practical and legal consideration of payment claims, payment schedules, adjudication applications, adjudication responses, replies, notices, timelines, interest, date for payment
- Technical concepts for adjudicators including variations, defects, time related matters, valuation
- Pre course work, examinations, assignment – mock adjudication decision

Course Workload:

Applicants should consider their availability carefully before applying to attend the course. The course will be comprised of Pre-Course Work, Course Attendance (including written Examinations) and a Mock Adjudication. The time required for candidates will vary due to each individual's previous training, particular knowledge, experience and approach to the task.

Candidates will need to commit significant time to complete each phase of the training including those for Option 1 and Option 2 as referred to in the Application Form. The Course attendance will be on 12, 13 & 14 February 2018 from 08:15 to 17:00 each day. Examinations for Option1 candidates will be conducted within these times. The time required for the Mock Adjudication will vary significantly between candidates but as a guide, candidates in previous courses have advised that similar mock adjudication exercises have taken from 20 to 40 hours to complete a reasoned Decision but some candidates have spent considerably more time. It is a matter for candidates how long they spend on the Mock Adjudication provided that the Decision is submitted within time.

Candidates attending the course for the purpose of professional development or learning only (Option 2) and who do not wish to attempt to qualify for a Certificate in Adjudication, will be required to carry out the Pre-Course Work as a pre-condition to attending presentations but they will not sit for the Examinations or have a Mock Adjudication marked.

Course Material:

Course material will be available to download from Dropbox once course fees are paid and funds cleared. For candidates not able to access Dropbox, course material will be provided on a thumb drive (USB Stick) if requested. Please allow for time for post if relying on receipt of a USB Stick.

Reference material will be provided in the same way. Candidates may have a copy of all material on their computer during the course, during the Examinations and for the Mock Adjudication. During Examinations candidates may access any material on their computer or any hard copy material they wish to bring to the course but candidates should be aware that desk space will be limited.

Pre-Course Work:

Completion of Pre-Course Work in hard copy is mandatory for all candidates.

Candidates (both Option1 and Option 2) will not be able to attend the face to face presentations until the Pre-Course Work is completed and handed up in hard copy. Candidates who present to attend the Course will be required to remain outside the training area until the Pre-Course Work is completed and handed up in hard copy.

The Pre-Course Work is designed so that it can be completed within 10 hours although most candidates will benefit from additional reading. Candidates should read the *Building and Construction Industry Payments Act 2004* (plus the associated Regulation) and two Supreme Court judgments which will be nominated for the Pre-Course Work.

Material for the Pre-Course Work, reference material and a significant part of the training material will be available for candidates to download from 2 weeks prior to the course. For candidates who require the material on a thumb drive (USB Stick) instead of by download for the Pre-Course Work, course material and reference material, these will be submitted to Australia Post 2 weeks prior to the course for express post to the postal address shown on the application form.

Computers:

Computers will not be provided to candidates. Candidates who wish to use a computer must bring their own laptop computers to use during the course. Candidates must run a virus scan on the computer and have anti-virus software installed on the computer. As printing facilities will not be available, candidates should print any material before the course. Some material will not be provided to candidates in hardcopy. Examinations and Workshop exercises will be provided in hardcopy. Soft copy material may be provided progressively.

There are no restrictions on material that candidates may have on their laptops and use during the course. It may also facilitate transfer of information to and from candidates if the candidate's computer has Wi-Fi capability but work around solutions are in hand for those without Wi-Fi. Barring technical or ISP issues, a Wi-Fi network will be available for candidates to log onto during the course.

Any candidate who cannot, or who does not wish to, use a computer during the course should raise this by email to BCIPAttraining@contractadmin.net before applying to attend the course. Work-around solutions will be arranged but candidates must ensure that any course material or other material they wish to use is printed and brought to the course by the candidate.

Candidates who wish to access the internet for information during the course may do so but must not communicate with anyone else (electronically or otherwise) during Examinations. Any candidate found communicating with others to obtain or provide assistance during an Examination will have their Examination paper endorsed as "Competence Not Demonstrated" and a "Nil" mark will be awarded to the candidate for

that Examination. Note that in addition to demonstrating competency in the Mock Adjudication, a minimum mark of 75% must be achieved in each Examination to successfully complete the course.

As a minimum, candidates should ensure that they have hard copies of the current version of the *Building and Construction Industry Payments Act 2004* and Regulation. They should also have hard copies of relevant parts of related or other legislation. A calendar covering relevant dates will be included in course material. Candidates may benefit from having a hard copy of the calendar with them to work through exercises and Examinations.

Mobile Phones:

Mobile phones must be silent and must not be used at all during presentations, workshops or Examinations. Phones must be OFF or out of the room during Examinations. Any candidate receiving or making phone calls (except by prior arrangement where there are exceptional circumstances) in presentations, workshops or during Examinations will be required to leave the room until the end of the presentation, workshop or Examination. For those who need mobile phone contact there will be a morning tea, lunch and afternoon tea break each day.

Examinations:

For those candidates attending the course for the purpose of attempting to qualify for a Certificate in Adjudication, there will be 3 compulsory Examination sessions. As the Examinations address required elements of the training, a 75% mark is to be achieved in each of the 3 Examinations. Candidates will be issued with a candidate number. Completed Examination papers must identify candidates only by their candidate number. Candidates must not identify themselves in any other way in completed Examination papers or in Mock Adjudication papers handed up.

Candidates attending the course for the purpose of professional development or learning only and who do not wish to attempt to qualify for a Certificate in Adjudication, will not complete the Examinations or Mock Adjudication.

Mock Adjudication:

For those candidates attending the course for the purpose of attempting to qualify for a Certificate in Adjudication, there will be a Mock Adjudication for which the candidate is required to complete an adjudicator's Decision. Except for the Adjudication Response all documentation for the Mock Adjudication will be provided to candidates on or by 13 February 2018. The completed Decision must be emailed to BCIPAttraining@contractadmin.net within the time set out in the instructions for the Mock Adjudication.

Candidates may apply for an extension of time for making the Decision as may be permitted by the BCIPA. As with a real adjudication, candidates should not assume that an extension will be granted. Candidates may safely assume that the Mock Adjudication parties will not agree to a request for an extension of time of more than 10 business days. Decisions submitted after the permitted time will be marked as "Competence Not Demonstrated" and will receive a "Nil" mark.

Candidates may email their completed Decisions earlier if they wish but this will not attract more favourable marking than Decisions sent up to the latest time permitted. Candidates should not sacrifice quality for speed in completing the Decision.

Markers will assume that the quality of the Decision handed up is equivalent to the quality of the Decision that the candidate would produce and provide to the claimant and the respondent in a real adjudication.

Extra time spent by the candidate in writing and re-writing the Decision for the Mock Adjudication before it is submitted for marking may improve the quality of the Decision.

Candidates are encouraged to have the Decision proof read by another person before it is submitted but the Decision will be treated as entirely the candidates' own work.

Marking:

A candidate who is dissatisfied with the mark given by the first marker for any Examination or for the Decision for the Mock Adjudication has the right to request in

writing that the mark be ignored and that the Examination or Decision be marked by a different marker. In such cases, the first mark will not be taken into account in assessing the candidate and the final mark will be the mark given by the second marker regardless of whether it is the same as, lower than or higher than the first mark. In no circumstances will the candidate be entitled to revert to and rely on the first mark. In all cases the second marker's mark shall prevail.

Payment:

Payment must not be included with the Application to Attend Training Course. Places will be offered to applicants in the order of receipt of properly completed application forms. It is the policy of Contract Administration Group Pty Ltd to provide equal opportunity to all applicants without regard to race, colour, religion, national origin, gender, sexual preference, age, or disability.

The offer of a place will be accompanied by an invoice from Contract Administration Group Pty Ltd. Payment may be made by EFT or one of the Nominated Credit Cards (MasterCard, Visa or American Express). Payment must be made within 7 days from the date that the invoice is emailed to the applicant. If the applicant does not wish to accept the offer of a place on the course, or if payment is not received by Contract Administration Group Pty Ltd within 7 days from the date that the invoice is emailed to the applicant, the invoice will be cancelled, the application will be taken to have lapsed and the offer of a place will also lapse. The place will be offered to the next applicant in order of receipt of applications.

Refund Policy:

Course fees are refundable in full if the course is cancelled or postponed by Contract Administration Group Pty Ltd. Candidates may only withdraw by notifying Contract Administration Group Pty Ltd by email to BCIPATraining@contractadmin.net. If a candidate's withdrawal is received by Contract Administration Group Pty Ltd before 31 December 2017 the course attendance fee will be refunded in full. If a candidate's withdrawal is received by Contract Administration Group Pty Ltd after 31 December 2017 but on or before 17 January 2018 an amount equal to 50% of the course attendance fee will be refunded. If a candidate's withdrawal is received by Contract Administration Group Pty Ltd after 17 January 2018 but on or before 31 January 2018 an amount equal to 20% of the course attendance fee will be refunded. No refund will be provided for withdrawal received by Contract Administration Group Pty Ltd after 31 January 2018. Any refund made will be credited to debit/credit card used to pay for the course or to the account used to transfer funds where payment was by EFT.

Registration:

A person wishing to become an adjudicator must become registered as an adjudicator and for this the person must meet specific suitability requirements. Applications for registration must be made to the Registrar. Contract Administration Group Pty Ltd has no part to play in registration of adjudicators.

The Certificate in Adjudication, if attained at this course, will meet the requirements of section 60(1) of the BCIPA but there are other requirements which an applicant for registration as an adjudicator will need to satisfy.

For more information, see section 60 of the *Building and Construction Industry Payments Act 2004* and associated Regulation or contact the Adjudication Registry on 139 333.

Fees are payable for registration as an adjudicator and for renewal of registration. The current renewal fee is in excess of \$700. This fee is not included in or covered by the course attendance fee.

After registration, an adjudicator may be eligible to decide adjudications upon referral by the Registrar. The adjudicator's qualifications, skill and experience are matters that the Registrar considers in selecting the person to whom an adjudication application is referred. There are no guarantees that the Registrar will refer adjudication applications to every person who attains a Certificate in Adjudication and who becomes a registered adjudicator but the Registrar will not refer adjudication applications to persons who do

not meet the requirements of both section 60(1) and section 60(2) of the BCIPA.

Registration as an adjudicator can be suspended or cancelled if:

- the person is not, or is no longer a suitable person to hold registration;
- the person has contravened a condition of registration; or
- the registration was issued because of a materially false or misleading representation or declaration.

Further Information: If further information is required please email BCIPATraining@contractadmin.net.