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Dear Sir

Gadens has been at the forefront of implementing the security for payment adjudication legislation across the States including Queensland. We act for many medium and large contractors and principals in the property and construction industries. A number of our partners, including the writer, are adjudicators with various Authorised Nominating Authorities (ANAs).

We support the government's proposed amendments to the *Building and Construction Industry Payments Act 2004* in so far as those amendments are consistent with the recommendations of the Wallace report.

However we consider it is important to make some comments in relation to aspects of the Bill before Parliament in relation to the power of the Adjudication Registrar to appoint adjudicators and abolish ANAs.

In our view, there is no recommendation in the Wallace report to abolish ANAs. We consider ANAs fulfil many valuable functions, in addition to the appointment of adjudicators which we support being dealt with by the Registrar.

Wallace identified these additional duties at page 129 of his report where he said:

Other ANA duties include:

- (1) Accept adjudication applications from claimants;
- (2) Provide advice and assistance to parties regarding the adjudication process;
- (3) Issue Adjudication Certificates to claimants upon request;
- (4) Where approved to do so by the Adjudication Registrar, conduct courses for adjudicators in the prescribed adjudication qualification and upon successful completion, issue a Certificate in Adjudication to the adjudicator.

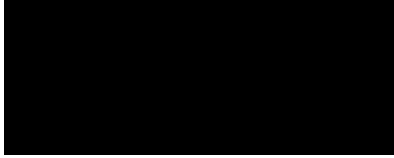
In addition, most ANA provide website and other information to industry participants which promote the legislation and also extensive administrative resources to adjudicators including:

- a) Acting as a buffer between adjudicators and parties
- b) Providing a Queensland address for service of documents
- c) Responding to party queries re the process and what they need to do next
- d) Communicate with parties any adjudicator requests e.g. requests for further submissions
- e) Arrange conferences, if required
- f) Receive adjudicator decisions

- g) Proof read decisions for typographical errors
- h) Collect the fees
- i) Provide the parties with the decision
- j) Forward decision to Registrar
- k) Provide adjudicator with slip rule requests.

We request government reconsider its decision to abolish ANAs as they fulfil many valuable functions for industry participants and adjudicators.

Yours sincerely



Doron Rivlin
Partner