

Report of a decision of a registered adjudicator

Determination No 43.16.01

Section 54(1) *Construction Contracts (Security of Payments) Act*

On 11 July 2016, Neil Kirkpatrick, an adjudicator registered under the *Construction Contracts (Security of Payments) Act*, dismissed an application for adjudication (No 43.16.01) without making a determination on the merits of the application, on the grounds that:

- the payment claim on which the application was based was a resubmission of an earlier payment claim that had been rejected by the respondent;
- the payment dispute arose on 2 March 2016 when the earlier payment claim was rejected; and
- the application was made out of time and therefore did not meet the requirements of subsection 28(1) of the *Construction Contracts (Security of Payments) Act*.

Because the contents of the decision could identify the parties involved, I have determined that those contents will not be published.

The adjudicator determined that the parties pay the costs of the determination in equal shares.

Guy Riley

Construction Contracts Registrar