

Key differences between WA model and East Coast model

Item	WA Bill	NSW SOPA ³⁷	VIC SOPA ³⁸
Time for Payment	Pursuant to the contract or earlier of: <ul style="list-style-type: none"> the date under the contract; 20 business days (<i>payment from principal to a head contractor</i>); 25 business days (<i>payment to subcontractor</i>); or 10 business days (<i>for home building work</i>) s 20(1)	Pursuant to the contract or for <i>payment from a principal to a head contractor</i> , the earlier of 15 business days or the date under the contract s 11(1A)	Pursuant to the contract or 10 business days s 12(1)
Time for Payment Claim	On or after the last day of each month or an earlier date under the contract (if any) ss 23(2)-(3)	On or after the last day of each month or an earlier date under the contract (if any) ss 13(1A)-(1B)	Later of the date under the contract or 3 months after the "reference date" under s 9(2) s 14(4)
Time for Payment Schedule	15 business days or an earlier date under the contract (if any) s 25(1)	10 business days after the payment claim is served or an earlier date under the contract (if any) s 16(1)(b)	10 business days after the payment claim is served or an earlier date under the contract (if any) s 15(4)
Time for Notice of Adjudication Application	20 business days after due date for payment s 28(2)(a)	20 business days after due date for payment s 17(2)(a)	10 business days after due date for payment s 18(2)(a)
Time for Further Opportunity for Payment Schedule	5 business days after receiving notice of adjudication application s 28(2)(b)	5 business days after receiving notice of intention to make an adjudication application s 17(2)(b)	2 business days after receiving notice of intention to make an adjudication application s 18(2)(b)
Time for Adjudication Application	20 business days after claimant first becomes entitled to make the application* *If the respondent has not paid the claimed or scheduled amount in full on or before the due date for payment or the scheduled amount is less than the claimed amount or no payment is proposed in the payment schedule s 28	10 business days after receiving payment schedule* or 20 business days after due date for payment** or 10 business days after the end of the 5 business day period of receiving notice of adjudication application*** *If a payment schedule is provided but the scheduled amount is less than the claimed amount **If a payment schedule is provided but the respondent fails to pay the whole/part of the claimed amount by the due date for payment ***If no payment schedule is provided s 17(3)	10 business days after receiving payment schedule* or 10 business days after the due date for payment** or 5 business days from end of the 2 business day period of receiving notice of adjudication application*** *If a payment schedule is provided but the scheduled amount is less than the claimed amount **If a payment schedule is provided but the respondent fails to pay the whole/part of the claimed amount by the due date for payment ***If no payment schedule is provided s 17(3)

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Time for Adjudication Response	<p>10 business days after receiving the application</p> <p>*Only if a payment schedule was provided (s 34(1)) s 34(1)</p>	<p>Later of 5 business days after receiving application or 2 business days after receiving notice of adjudicator's acceptance of application*</p> <p>*Only if a payment schedule was provided (s 20(2A)) s 20(1)</p>	<p>Later of 5 business days after receiving application or 2 business days after receiving notice of adjudicator's acceptance of application*</p> <p>*Only if a payment schedule was provided (s 21(2A)) s 21(a)</p>
Time for Determination	<p>10 business days* after the date on which the response is given (if the respondent provided an adjudication response) or the last date by which the response could've been given (if the respondent did not provide an adjudication response within the time allowed or the date on which the adjudicator was appointed (if the respondent isn't entitled to given an adjudication response)</p> <p>*Extensions of up to 20 business days, subject to agreement between the parties ss 37(2)-(3)</p>	<p>10 business days*</p> <p>*If respondent is entitled to lodge an adjudication response, after the date which the respondent lodges the response or end of the entitlement period. In any other case, the date on which notice of adjudicator's acceptance of application is served s 21(3)</p>	<p>10 business days after the date on which acceptance by the adjudicator of the application takes effect*</p> <p>*Extensions of up to 15 business days, subject to agreement between the parties s 22(4)</p>
Time for Review Application	<p>5 business days after the claimant/respondent making the application receives a copy of the adjudication determination s 39(5)</p>	N/A	<p>5 business days after the respondent receives a copy of the adjudication determination s 28D(2)</p>
Time for Review Application Response	<p>10 business days after receiving adjudication review application s 45(1)</p>	N/A	<p>3 business days after receiving adjudication review application s 28E</p>
Time for Review Application Determination	<p>10 business days* after the date on which the adjudication review response is given or if a response is not given, the last date on which it could've been given</p> <p>*Extensions of up to 10 business days, subject to agreement between the parties ss 47(2)-(3)</p>	N/A	<p>5 business days of the adjudicator's appointment*</p> <p>*Extensions of up to 10 business days, subject to agreement by the applicant s 28I(10)</p>