

## Small Claims

The *Community Justice Centre Act 2005* came into force on 22 February 2006. Part 4 of this Act allows for determinations of payment claims for less than \$10,000 for a fixed fee of \$500.

If a contractor or subcontractor has a payment dispute for less than \$10,000, instead of serving their application for adjudication upon an appointer listed in regulation 5 of the *Construction Contracts (Security of Payments) Regulations*, they can serve their application for adjudication upon the Director of the Community Justice Centre, who will act as an appointer and appoint someone to determine the dispute. The person appointed may not be a registered adjudicator, so long as the Director is satisfied that they have qualifications and experience relating to adjudication of disputes (in other words, the qualifications and experience relied upon by the Director, will not necessarily match the qualifications and experience prescribed for the purposes of section 52 of the *Construction Contracts (Security of Payments) Act*).

The parties share the payment of the application fee.

Apart from these features, the adjudication process is governed by the *Construction Contracts (Security of Payments) Act*.

The Territory is the only jurisdiction to introduce a scheme for small contract payment claims.