



# Are you owed money?

**Security of payment quick guide  
for subcontractors.**

*You deserve to be paid on time.  
Your livelihood depends on it.*



If a contractor owes you money and you think they tender for Commonwealth funded building work, contact the ABCC. We'll find out if they're covered by the Code. The Code has strict rules for security of payment. If they don't comply, they may not be able to bid on Commonwealth funded projects.

## What does the Code say?\*

Your work needs to be paid for without delay if the claim is due under law. If there is a dispute about payment, this should also be sorted out quickly and reasonably.

### Mandatory reporting of disputed and delayed payments

- Code covered contractors must report payment disputes and delays to the ABCC. You can too.

### Are you being pressured not to make a claim for payment or refer a dispute to adjudication?

- Report this to us and we'll help if we can.

### Mandatory documented dispute settlement process

- The Code requires compliance with a disputes process that includes referral to an adjudicator.

### Access to adjudication is a right under state and territory laws

- You're entitled to access adjudication even if it is not mentioned in your contract.
- Be aware of the timeframes for adjudication applications.

### Compliance with adjudication determinations

- A code covered contractor that does not pay a determination will be asked to make payment.

### Valid payment claims help ensure you get paid

- Make sure your payment claim is valid under your state or territory law.
- In some regions, the document must state it is a payment claim under the relevant law.


### When should you be paid?


- The ABCC website explains when a payment delay or dispute must be reported to the ABCC by a code covered contractor.
- Check the payment terms in your contract as some laws have maximum payment terms.
- Please seek legal advice about whether the terms in your contract are valid.

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### We are here to help

 [abcc.gov.au/securityofpayment](http://abcc.gov.au/securityofpayment)

 1800 003 338

 [enquiry@abcc.gov.au](mailto:enquiry@abcc.gov.au)

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\*Code for the Tendering and Performance of Building Work 2016

## How the ABCC can help

When you report to us, we will check whether the contractor who owes you money is code covered. If they are, we will help you with your complaint. If they are not code covered, we can still provide you with information about accessing adjudication and refer you to your relevant state and territory agency. Please report using the security of payment form on our website.

### Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

**Hotline:** 1800 003 338

**Email:** [enquiry@abcc.gov.au](mailto:enquiry@abcc.gov.au)

**Website:** [www.abcc.gov.au/securityofpayment](http://www.abcc.gov.au/securityofpayment)

**The information contained in this brochure is correct as at 16 July 2018.**

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**Australian Building and  
Construction Commission**