

From: [ABCC - Security of Payments](#)
To: s 47E(d), s 47F, s 47G(1)(a)
Subject: Ref Code: CA55180 - North East Link, Early works at Borlase Reserve, VIC [SEC=OFFICIAL]
Date: Monday, 8 November 2021 12:47:00 PM

OFFICIAL

s 47E(d), s 47F, s 47G(1)(a)

s 47E(d), s 47G(1)(a)

The ABCC is currently making enquiries regarding the complaint to establish whether the *Code for the Tendering and Performance of Building Work 2016* (Code) applies to the respondent and building work to which the complaint relates. **These enquiries include notifying the respondent of the complaint in order to seek necessary information.**

Potential outcome:

If the Code has been breached, the ABCC may be able to assist you by seeking voluntary rectification on your behalf. However, the ABCC cannot order a respondent to take specific steps or make payments in the same way a Court can.

Further information:

In the meantime, the below options are available to you to recover any unpaid progress payments:

- ***Mechanisms under security of payment laws***

Check out our website for information about adjudication, which is a way to resolve disputes about progress payments using state and territory security of payment laws. **Pay special attention to timeframes required for these processes.**

- ***Dispute settlement process within your contract***

Look for a documented dispute settlement process in your contract as that may detail steps available to you to resolve your non-payment.

- ***Further information and help***

We encourage you to contact your local state or territory agency to assist you in understanding and exercising your rights under security of payment laws. The ABCC's website provides details.

To assist you further, please see the following links to the ABCC security of payment [State and Territory specific factsheets](#) and [state and territory security of payment law checklist](#). The checklist provides a breakdown of your rights and responsibilities under state and territory security of payment laws. Please pay special attention to how you can submit a valid payment claim.

For further information, advice or assistance, please visit [Security of payment | ABCC](#) or email enquiry@abcc.gov.au with your Case ID number.

Kind regards

s 47F [REDACTED] **Compliance Officer**

Tel: s 47F [REDACTED] | Email: s 47F [REDACTED]@abcc.gov.au

Postal address: GPO Box 9927, Sydney NSW 2001

Hotline: [1800 003 338](tel:1800003338) | **Web:** abcc.gov.au

The ABCC acknowledges the traditional owners and custodians of country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the Elders past, present and emerging.