# benchtv
## a benchmark production

# Quiz

## Security of Payments

1. Which of the following statements is true about the security of payments regime?
   a. It provides an interim means for contractors and sub-contractors to get paid for their building work
   b. It is without prejudice to the ultimate contractual rights of the parties
   c. It allows claimants to recover for defective building work by contractors and sub-contractors
   d. Both A and B

2. What has traditionally been the position in NSW regarding judicial review of an adjudicator's determination?
   a. Judicial review is only available for jurisdictional error
   b. Judicial review is only available for error of law on the face of the record
   c. Judicial review is available for both jurisdictional error and error of law on the face of the record
   d. None of the above

3. What was the holding of the High Court in Shade Systems v ProBuild?
   a. Error of law on the face of the record could be the basis of a successful judicial review
   b. The court's power to conduct judicial review on the basis of error of law on the face of the record was expressly ousted by the Building and Construction Industry Security of Payment Act 1999 (NSW)
   c. The court's power to conduct judicial review on the basis of error of law on the face of the record was impliedly ousted by the *Building and Construction Industry Security of Payment Act 1999* (NSW)
   d. None of the above

4. Which of the following would constitute a jurisdictional error on the part of an adjudicator?
   a. Making a determination where there is an invalid payment claim
   b. Failure to accord the parties natural justice
   c. An incorrect finding that there was a construction contract
   d. All of the above

5. The 2018 Murray Report recommends that:
   a. Reference dates be removed
   b. The Victorian approach to insolvent contractors be followed
   c. The security of payments regime be extended to include residential building contracts
   d. All of the above

Answers:

1. D  2. A  3. C  4. D  5. D