



## Quiz

### Building and Construction Industry Security of Payment Act

1. How many parts is the *Building and Construction Industry Security of Payment Act* effectively split into?
  - a. 4
  - b. 5
  - c. 3
  - d. 6
  
2. What may constitute a jurisdictional error for the purposes of the *Building and Construction Industry Security of Payment Act*?
  - a. An error with respect to a prohibition in the Act
  - b. A failure to afford procedural fairness or natural justice
  - c. Fraud or bad faith
  - d. All of the above
  
3. Which section of the *Building and Construction Industry Security of Payment Act* specifies the reference date?
  - a. Section 8
  - b. Section 10
  - c. Section 13
  - d. Section 14

4. In which case did the judge find that a reference date is not a jurisdictional element in respect to the payment claim process, the right to an adjudication determination and the enforcement of any determination that arose by reference to that process?
- a. *Veer Build Pty Limited v TCA Electrical and Communication Pty Ltd* [2015] NSWSC 864
  - b. *Craig v South Australia* [1995] HCA 58; 184 CLR 163
  - c. *Lewence Construction Pty Ltd v Southern Han Breakfast Point Pty Ltd* [2015] NSWCA 288
  - d. None of the above
5. What principle area(s) does a construction contract inform the provisions of the Act?
- a. The identification and definition of a reference date
  - b. Whether or not the Act applies to the contract through a 'contracting out' clause
  - c. The assessment of the value of a payment claim
  - d. Both a. and c.

Answers:

1. c 2. d 3. a 4. c 5. d