

ADJUDICATION AND FEE SCHEDULE

ARCANA(AB) and Roster Adjudicators will comply with the following fee schedule:

ARCANA(AB) Fee Schedule

Case Information*			ARCANA(AB) Fees		Adjudicator Fee Rates & Caps**	
Claim Value	Tier	Amount in dispute	Filing Fee	Certification Fee	Hourly Rate	Adjudicator Fee Caps
Low Value	1	Under \$25,000	Nil	Nil	\$200	\$1,800
	2	Under \$50,000			\$225	\$3,600
	3	Under \$100,000			\$250	\$6,000
Mid Value	4	Under \$250,000	\$450	Nil	\$275	7.5% of Amount in Dispute
	5	Under \$500,000			\$425	
High Value	6	Under \$1,000,000	\$450	Nil	\$500 max	As agreed to with the adjudicator
	7	\$1,000,000 or more			\$650 max	

* The value of any counterclaim will be added to that of the claim in determining the total amount in dispute.

** Applied by the Nominating Authority (ARCANA) when the parties have not agreed to an adjudicator within 4 working days after the Notice of Adjudication is issued. Where the adjudicator is agreed by the parties, fees and caps will be as agreed with the adjudicator. Fee and caps can be adjusted in consultation with the adjudicator at any time, **but only with the consent of both parties**. See Note 7 below.

Notes

1. The *Amount in Dispute* is the figure the parties say is in dispute. It is not the total contract value and may be different from the amount finally determined by the adjudicator. The amount in dispute may be adjusted based on any counterclaim made by the Respondent (see Note 3). If a counterclaim is submitted, the adjudicator may increase the applicable fee cap to the next Tier or apply the 7.5% fee to the revised amount in dispute, as appropriate.
2. For low-value cases and mid-value cases, if questions are raised about the adjudicator's authority to decide the dispute (called jurisdictional issues) and need a separate decision, only up to 40% of the fee cap will be charged for handling these issues.
3. The costs relating to a jurisdiction challenge or counterclaim may be assessed and apportioned separately to those relating to the determination of the Applicant's claim. Costs for dealing with counterclaims not related to the Applicant's claim must be adjudicated separately, usually by submitting a second Notice of Adjudication. The legislation does allow such claims to be consolidated when appropriate.
4. Besides the Notice of Adjudication and the contract or subcontract, both parties can provide the adjudicator with any documents they plan to rely on.
5. ARCANA does not charge for certifying adjudication determinations – this service is included as part of its role as a Nominating Authority under the PPCLA legislation.
6. ARCANA earns part of its fees by taking a commission from the adjudicator's fee: 20% for claims under \$25,000, 25% for claims under \$50,000, and 30% for higher amounts.
7. In all cases, the parties and adjudicator may at any time agree on hourly rates, fee caps and expenses which differ from those set out in this Fee Schedule and Notes, where they believe this to be appropriate. **Parties are under no obligation to enter into such an agreement**, and where they do not, the adjudicator is obliged to deal with the matter in accordance with the fees and policies set out herein.