

Terms and conditions for RICS DRS Fixed Fee Adjudication.

Band	Payment Claim Range	Adjudication Fee	Total Adjudication Fees (inc. GST & Disbursements charge)
1	0 – 6,500	650.00	715.00
2	6,501-15,000	1,000.00	1,100.00
3	15,001-25,000	2,000.00	2,200.00
4	25,001-40,000	3,100.00	3,410.00
5	40,001 – 60,000	4,100.00	4,510.00
6	60,001 – 100,000	5,600.00	6,160.00

1. The fixed fees above shown above include:
 - 1.1 The fees and expenses of the nominated adjudicator
 - 1.2 The cost of an adjudication certificate, if required.
 - 1.3 Goods and Services Tax (GST)
 - 1.4 Disbursements up to the value of \$50.00 excluding GST for fixed fee bands 1 through to 4 (see above tables).
 - 1.5 Disbursements up to the value of \$100.00 excluding GST for fixed fee bands 5 and 6 (see above tables).
2. The payment for fixed fee adjudication must accompany the adjudication application. If payment is not forthcoming with the adjudication application, the adjudication application will be deemed to come under the regular non-fixed RICS DRS adjudication rates.
3. The payment of fixed fee adjudication is non-refundable, except in the cases as explained in terms 4 and 6.3 herein, or pursuant to section 35(4) of the Building and Construction Industry Payments Act, 2004.
4. In the event of withdrawal of an adjudication application, the outstanding fees will be calculated on the basis of work already completed by the adjudicator at the nominated adjudicator's hourly rate, plus a \$220.00 (including GST) ANA administrative withdrawal fee. If this calculation is less than the up front fixed fee, the claimant will be refunded the difference.
5. Fixed Fee adjudication does not include any costs associated with conducting a conference or inspections. While the requirement for a conference or inspection occurring pursuant to the adjudication process is rare, if this requirement arises, the fees associated with this requirement will be charged in accordance with the nominated adjudicator's hourly rate.
6. The RICS DRS reserves the right at its sole discretion to ultimately decide whether an application purporting to come under fixed-fee adjudication qualifies for fixed-fee adjudication. This decision will be based upon complexity of issues, numbers of matters in dispute and the extent of documentation submitted.
 - 6.1 The RICS DRS will confirm to both the claimant and respondent in writing whether or not an application purporting to come under fixed-fee adjudication qualifies for fixed fee adjudication.
 - 6.2 If the RICS DRS decide an application purporting to come under fixed-fee adjudication **does not qualify** for fixed-fee adjudication, the RICS DRS will inform **the claimant** of this fact in writing.
 - 6.3 In the situation where the RICS DRS decide an application does not qualify for fixed-fee, the claimant may withdrawn the application by notice in writing to the RICS DRS. However, the claimant may elect to have the adjudication continue under normal RICS DRS adjudication rates.
 - 6.4 This notice must be received within one (1) business day of being informed that the application is not suitable for fixed-fee adjudication. If this notice is not received, the RICS DRS will move to appoint an adjudicator under normal adjudication rates.
7. Disbursements, such as postage, copying, faxing, courier, and other miscellaneous costs are charged at cost.
 - 7.1 For payment claims that fall under bands 1,2,3 & 4: If the value of disbursements exceeds \$50.00 (excluding GST) on any adjudication application, the parties will be liable for the amount in excess. Payment of these costs is a precondition to the release of the adjudication decision.
 - 7.2 For payment claims that fall under bands 5 & 6: If the value of disbursements exceeds \$100.00 (excluding GST) on any adjudication application, the parties will be liable for the amount in excess. Payment of these costs is a precondition to the release of the adjudication decision.