

FAQs

(1) Do I have to first serve the "Notice of Adjudication" before putting the adjudicator in place?

ANSWER: Look at the rules in the Adjudication Agreement in your Contract. If it is "The Scheme" rules, the ANSWER is NO, provided you are using the ANB to reach agreement with the other party as to who will be the adjudicator. The ANSWER is YES, IF this ANB is the specified nominating body and you have unilaterally triggered the adjudication via a 'Notice of Adjudication'.

(2) Do I have to use the specified ANB in the Contract document?

ANSWER: No, if you are using a different ANB to reach agreement with the other party as to who will be the adjudicator. YES if the other party will not agree to use this other ANB.

(3) If there is no mention of adjudication in the construction contract can I come to nec-adjudicators.org to nominate?

Answer: Yes.

(4) What fee is chargeable for these services of nec-adjudicators.org?

ANSWER: None.

(5) Are the services of the ANB in putting an adjudicator in place without prejudice to

any right of objection to bringing an adjudication.

ANSWER: YES. Participating in the nomination process does not indicate that a party has submitted to the adjudication process. It is not an agreement to submit to present or future disputes.

(6) Does the ANB consider whether there is a valid right to adjudicate?

ANSWER: NO. That is a matter for the adjudicator.

(7) Does requesting the ANB to seek agreement of an adjudicator commence the adjudication?

ANSWER: NO

(8) Does the nomination by the ANB relieve the appointed person from considering de novo the right to be the adjudicator?

ANSWER: NO

(9) What are the time limits for putting the adjudicator in place?

ANSWER: When a unilateral commencement has begun

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the 'Notice of Adjudication' triggers a 7 day timetable;

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within that 7-days the nomination is to be made;

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also within the 7 days but following the nomination, the Referral is to be served on the adjudicator and other party.

(10) If there is a failure of the appointment service will this ANB re-appoint including resignation/ death/ incapacity.

ANSWER: Ordinarily YES.

(11) If there are queries and questions about the appointment who will manage this?

ANSWER: The adjudicator is solely responsible for procedural matters and decisions. The ANB cannot intervene.

(12) Does the ANB welcome feedback?

ANSWER: YES! [Contact us here](#)

(13) Will the ANB determine a preliminary point of jurisdiction?

ANSWER: NO. But it will appoint by consent a different person to decide such matters.