

PAYMENT STATEMENT

[FOR USE WITH DSC-1 2021 ONLY]

**To: The Consultant**

|  |  |
| --- | --- |
| Consultant's email address: | ***[INSERT]*** |

 **Cc: The Commonwealth**

|  |  |
| --- | --- |
| Commonwealth's email address: | ***[INSERT]*** |

This is a payment statement under clause 11.4of the Contract.

|  |  |
| --- | --- |
| **Project Number:** | ***[INSERT]*** |
| **Project:** | ***[INSERT]*** |
|  |  |
| **Name (including ABN) of Consultant:** | ***[INSERT]*** |
| **Contract Administrator:** | ***[INSERT]*** |
| Contract Administrator's email address: | ***[INSERT]*** |
| Contract Administrator's phone number: | ***[INSERT]*** |
|  |  |
| **Payment claim number (if any):**  | ***[INSERT]*** |
| Payment claim period: | ***[INSERT]*** |
| Payment claim date: | ***[INSERT]*** |
| Payment claim received: | ***[INSERT]*** |
| **Total Claim Amount (if any) (including GST):** | ***$[INSERT]***  |
|  |  |
| **Payment statement number:**  | ***[INSERT]*** |
| Payment statement period: | ***[INSERT]*** |
| Payment statement date: | ***[INSERT]*** |
| **Total Schedule Amount (if any) (including GST):** | ***$[INSERT]***  |
| **Difference between Total Claim Amount and Total Schedule Amount (if any) (including GST):** | ***$[INSERT]*** |

The amount previously paid to the Consultant on account of the Fee and otherwise in accordance with the Contract is:

|  |  |  |
| --- | --- | --- |
| (a) | the Fee | $***[INSERT]*** |
| (b) | otherwise in accordance with the Contract | $***[INSERT]*** |
| (c) | GST | $***[INSERT]*** |
|  | **Total Amount Paid (including GST)** | $***[INSERT]*** |

The amount (if any) that the Contract Administrator believes to be then payable to the Consultant on account of the Fee and otherwise in accordance with the Contract and which the Commonwealth proposes to pay the Consultant is:

|  |  |  |
| --- | --- | --- |
|  | the Fee | $***[INSERT]*** |
|  | otherwise in accordance with the Contract | ***$[INSERT]*** |
|  | GST | $***[INSERT]*** |
|  | **Total Schedule Amount (including GST)** | $***[INSERT]*** |

If the Total Schedule Amount is less than the Total Claim Amount, the reasons are set out in the Particulars to this payment statement.

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature:** |  | **Date:** | ***[INSERT]*** |
|  |  |  |  |
| **Name:** | ***[INSERT]*** | **Position/Title:** | ***[INSERT]*** |

**Contract Administrator (as agent for the Commonwealth)**

**PARTICULARS**

|  |  |
| --- | --- |
| **Project Number:** | ***[INSERT]*** |
| **Project:** | ***[INSERT]*** |
| **Payment statement number:** | ***[INSERT]*** |

**[*Note: The Contract Administrator must select Option 1, Option 2 or Option 3 and complete the details for that selected option. The options which are not selected must be deleted.]***

***[OPTION 1]*** ***[The Contract Administrator should use Option 1 when the Total Claim Amount and the Total Schedule Amount are the same.]***

None stated.

***[OPTION 2] [The Contract Administrator should use Option 2 when the Total Schedule Amount is less than the Total Claim Amount.]***

The Total Schedule Amount is less than the Total Claim Amount by $***[INSERT]*** because:

***[INSERT DETAILED REASONS - EXPLAIN IN DETAIL WHY THE COMMONWEALTH IS ENTITLED TO******RETAIN, DEDUCT, WITHHOLD OR SET‑OFF AGAINST MONEYS WHICH WOULD OTHERWISE BE DUE TO THE CONSULTANT.]***

***[OPTION 3] [The Contract Administrator should use Option 3 when the Total Schedule Amount is Nil for any reason e.g. the Consultant is not yet entitled to submit the payment claim, the Consultant is not yet entitled to payment or otherwise.]***

The Total Schedule Amount is $Nil because:

***[INSERT DETAILED REASONS - EXPLAIN IN DETAIL WHY THE CONSULTANT HAS NOT YET BECOME ENTITLED TO SUBMIT THE PAYMENT CLAIM, TO PAYMENT OR WHY THE COMMONWEALTH IS ENTITLED TO******RETAIN, DEDUCT, WITHHOLD OR SET‑OFF AGAINST MONEYS WHICH WOULD OTHERWISE BE DUE TO THE CONSULTANT]***.

Further and without prejudice to the above, if the Consultant is entitled to submit the payment claim or payment, the amount (if any) that the Contract Administrator believes to be then payable to the Consultant on account of the Fee and otherwise in accordance with the Contract and which the Commonwealth proposes to pay the Consultant is:

|  |  |  |
| --- | --- | --- |
| (a) | the Fee | ***$[INSERT]*** |
| (b) | otherwise in accordance with the Contract | ***$[INSERT]*** |
| (c) | GST | ***$[INSERT]*** |
|  | **Total Schedule Amount (including GST)** | ***$[INSERT]*** |

The Total ScheduleAmount is less than the Total Claim Amount by $***[INSERT]*** because:

***[INSERT DETAILED REASONS - EXPLAIN IN DETAIL WHY THE COMMONWEALTH IS ENTITLED TO******RETAIN, DEDUCT, WITHHOLD OR SET‑OFF AGAINST MONEYS WHICH WOULD OTHERWISE BE DUE TO THE CONSULTANT].***

**ATTACHMENTS TO PARTICULARS**

|  |  |
| --- | --- |
| **Project Number:** | ***[INSERT]*** |
| **Project:** | ***[INSERT]*** |
| **Payment statement number:** | ***[INSERT]*** |

|  |
| --- |
| **Attachment** |
| ***[NONE STATED/INSERT DESCRIPTION OF ATTACHMENTS]*** |

**IMPORTANT NOTE:**

1. Any evaluation or issue of a payment statement by the Contract Administrator will not constitute:
	* 1. approval of the Services nor will it be taken as an admission or evidence that the part of the Services covered by the payment statement have been satisfactorily carried out in accordance with the Contract;
		2. a waiver of the requirements of clauses 11.2 and 11.3in relation to any payment claim other than to the extent (if any) to which the Commonwealth expressly waives such requirements in respect of the payment claim the subject of the payment statement;
		3. an admission or evidence of the value of the Services or that the Services comply with the Contract;
		4. an admission or evidence of liability; or
		5. otherwise, any approval, admission or evidence by the Commonwealth or the Contract Administrator of the Consultant's performance or compliance with the Contract.

This payment statement is a "payment schedule" for the purposes of any Security of Payment Legislation.

***[NOTE TO CONTRACT ADMINISTRATOR: IT IS CRITICAL (FOR REASONS RELATED TO AND CONSEQUENCES ARISING OUT OF THE SECURITY OF PAYMENT LEGISLATION) THAT EACH PAYMENT STATEMENT IS ISSUED IN TIME AND THAT THE CONTRACT ADMINISTRATOR TAKES APPROPRIATE STEPS TO SATISFY ITSELF AND CLEARLY DOCUMENT THAT THE CONSULTANT HAS RECEIVED THE PAYMENT STATEMENT IN TIME.]***