



Practice Advisory



Construction Act: Prompt Payment and Adjudication

Information for Projects with Procurement Started as of October 1

On July 1, 2018, a number of housekeeping changes in the new *Construction Act* came into effect. In response to those changes, the OAA issued new documents and revisions to a number of existing documents, including OAA standard contracts, Practice Tips 2, 10, 10.1, 10.2, & 25, OAA/OGCA Take-Over Procedures (Document 100) and various Management of the Project documents.

October 1, 2019, brought more substantive changes in the *Construction Act*. The two new provisions are the implementation of Canada's first prompt payment legislation and an adjudication regime to speed up dispute resolution. In response to these changes, the OAA is again preparing new and revising existing documents, including the OAA standard contracts, Practice Tips and Management of the Project documents. These

documents will be issued as they become available. Members will be notified through the *OAA News* and *OAA Practice Advisories* e-newsletters.

In the interim, there are a number of key points for members to consider. In this special edition of *Practice Advisories*, the OAA explores aspects ranging from office processes and timeframes to application for payment and legal interpretation.

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Ontario



Overview of OAA Communications on *Construction Act*

Since the changes of the new *Construction Act* came into effect last year, the OAA has published numerous items related to the impact on the architecture profession in Ontario. For a complete list of stories, as well as resources for Act-related presentations at the 2018 and 2019 OAA Conferences, follow the link below.

[READ MORE](#)



Further Resources on the *Construction Act*

Additional information on the *Construction Act* changes, including prompt payment or adjudication, can be found by referring to the following sources:

[e-Laws Ontario](#)

[Ontario Ministry of the Attorney General](#)

For members looking for a detailed understanding of adjudication processes—or for those with at least 10 years of experience who are considering becoming adjudicators—the following links will be of interest:

[ADR Chambers](#)

[Ontario Dispute Adjudication for Construction Contracts](#)

As expected, several law firms with a focus on construction law are offering webcasts and podcasts advising clients and potential clients about prompt payment and adjudication. This information may be found on the individual law firm's websites.



City of Toronto Notification

Earlier this week, the City Clerk's Office of the City of Toronto released the following notification directed to those who do work on City of Toronto owned projects: "Starting October 1, 2019, all claims for lien against the City of Toronto's interest in land are to be submitted to the Clerk of the City of Toronto electronically". For information, visit www.toronto.ca/liens.

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The OAA office is located at 111 Moatfield Drive, Toronto, ON M3B 3L6