

Nationwide Academy of Dispute Resolution UK Ltd

Stockland Cottage 11 James St, Treforest, Pontypridd Wales CF37 1BU UK : Phone +44(0)1443 486122 : Fax + 44(0)1443 404171

ADJUDICATION DEFENCE / COUNTERCLAIM FORM CADJ 07

Date: ▶

NADR No ▶

IN THE MATTER OF
THE HOUSING GRANTS, CONSTRUCTION AND REGENERATION ACT 1996

AND IN THE MATTER OF AN ADJUDICATION BETWEEN:

▶
(Referring Party)

and

▶
(Respondent)

DEFENCE / COUNTERCLAIM

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PROCESS ADVICE

NADR is a nominating body. It does not and will not provide legal advice to either party. The following advice concerns how to proceed with the process and the matters that, in the needs of justice and fairness, should be communicated to the adjudicator and to the other party to the dispute.

The Referral of Defence/Counterclaim Front Form overleaf is provided for your help and assistance. The number of headings in the contents section (and the number of attachments) may be added to or reduced as necessary, but should, for the sake of clarity include clear statements about the background to the dispute, the counterclaimed remedy(ies) sought (if any) – i.e. what you are claiming, and the reason(s)/ ground(s) for your defence and counterclaim. Listing /numbering grounds for defence (clearly indicating which parts of the referring party's claim they address), your counterclaims and the grounds for the counterclaims separately will assist both the adjudicator and the other party in understanding exactly what it is you are asking for and why.

The appendices / attachments can be used to provide documentary evidence in support of your claim.

What to Do Next.

Tasks	Check.	Checkpoint	
		YES	NO
1	As the defending party in this dispute, you should already have received the referring party's statement of claim.	<input type="checkbox"/>	<input type="checkbox"/>
2	Have you considered seeking or sought independent advice?	<input type="checkbox"/>	<input type="checkbox"/>
3	Send this Statement of defence/counterclaim (Mail / E-Mail or Fax) to the adjudicator, to arrive on or before the date set by the adjudicator. <i>(for transmission purposes this page may be deleted)</i>	<input type="checkbox"/>	<input type="checkbox"/>
4	Send a copy of this Statement of Defence/Counterclaim to the other party.	<input type="checkbox"/>	<input type="checkbox"/>

After which

- 5 The referring party will have an opportunity to respond to this statement.
- 6 The adjudicator will make whatever inquiries he feels necessary to put himself into the position where he is able to make a decision, which could, but will not necessarily, include holding a hearing and will issue a decision within 28 days of receipt of this referral (subject to any extension in time granted him by the claimant).

NADR hopes you found this DEFENCE / COUNTERCLAIM Form of assistance.