

Alberta Prompt Payment and Adjudication (webinar)

OCTOBER 27, 2022 2 MIN READ

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Authors: [Andrew Wong](#), [Paula Olexiuk](#)

Prompt payment and mandatory adjudication legislation is being considered and adopted across Canada to alleviate payment delays in the construction industry. Comparing the new *Alberta Builders' Lien Act* to the *Ontario Construction Act* was a major focus of discussion during Osler's Alberta Prompt Payment and Adjudication webinar, hosted by Andrew Wong, partner, Commercial. The presenters were Paula Olexiuk, partner, and Co-Chair of the Construction and Infrastructure group, and Jagriti Singh, associate, Commercial.

With the Alberta legislation, there is a requirement for a contractor or consultant to provide a proper invoice to the owner every 31 days. An exception would be when contractual testing or commissioning is involved. Ontario does not specify a number of days – only suggesting that a proper invoice be submitted monthly.

Adjudication procedures and timelines are similar in the two provinces. However, Ontario has a single nominating authority while Alberta has multiple nominating authorities. In both provinces, adjudicators operate within tight timeframes to make a determination once documents from the claimant are received.

With the Alberta legislation having come into effect on August 29, 2022, any contract or subcontract entered into on or after this date must conform to the new requirements. Any contracts entered into prior to this date and scheduled to remain in effect for longer than August 29, 2024 will need to be amended by August 29, 2024 to comply with the new requirements.

[Watch the full webinar](#)