Engagement of Contractor/Consultant Form

Note: This form is not a contract and is required to assess the tax implications of the services delivered

Part 1

Section 1: Engagement information:

Name of entity: __________________________________________

Entity type (circle one): Individual / Partnership / Company / Trust / Other - describe ____________________________

Is the entity a registered RMIT Supplier? ____________________________

YES: Please give supplier number: ____________________________

NO: Please complete Attachment B “RAP FORM: NEW VENDOR REQUEST”

ABN (Australian Business Number): ____________________________

ACN (Australian Company number): ____________________________

Name of person(s) carrying out work: ____________________________

Telephone: ____________________________ Fax: ____________________________

Email: ____________________________

Entity address: ____________________________________________

Section 2: Description of Work

Start date: ____________________________ End date: ____________________________

Cost of engagement (1):

$ (labour component) ____________________________

$ (materials & equipment component - if any) ____________________________

Total $ ____________________________

Engaging Department at RMIT University ____________________________

Engagement Description (nature, type & form of work try to be specific and avoid general labels such as ‘consulting’)

Please note that the consultant/contractor should not provide teaching, lecturing, tutoring, research, marking, academic services, course leader or simular services as these services form part of RMIT’s core offering and can only be provided by an individual in their capacity as an employee with the individual remunerated via payroll.

Frequency of payment invoice: (circle only one): 1. Regularly: weekly/fortnightly/monthly or

2. Periodically - as stipulated in contract

3. Upon completion of work assignment

4. Other - describe ____________________________

Section 3 – 7 to be completed by Contractor

Section 3: Engagement Status

Engagement Status: the following list of questions must be answered - Select only one answer:

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Do you have a contract/agreement signed with the relevant department of RMIT?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 If yes, please in the column ‘yes’ provide TRIM number, or attach a copy of the agreement to this form</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Will you be paid to produce a specific deliverable/end result?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Engagement of Consultants Contractors Form
TRIM: POL/2008/00472[V3]
4. Will you be paid on an attendance basis? (i.e. hours in attendance at RMIT University)

5. Will you supply most of your own equipment/plant/tools to complete the work?

6. Will you be performing all of your work on RMIT University premises or in a venue/facility hired by RMIT University?

7. Will RMIT University direct or control the manner in which you will complete the task to be undertaken (e.g. hours worked, location etc.)?

8. Will you personally complete the assignment?

9. Will you delegate to either an employee or subcontractor any aspect of the assignment?

10. Will you be required to remedy any defect you cause?

11. Will you be liable to compensate RMIT for any loss or damage arising from negligence or non-compliance?

12. Will you be able to benefit financially by having a more effective business operation i.e. by working harder & smarter, combined with better utilising the resources you have?

### Section 4: Payroll Tax Exemption

Please indicate whether one of the following payroll tax exemptions apply to the entity:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The service(s) provided are not of a type ordinarily required by RMIT for more than 180 days in a financial year.</td>
<td></td>
</tr>
<tr>
<td>2. The service(s) to be provided to RMIT are for no more than 90 days in a financial year.</td>
<td></td>
</tr>
<tr>
<td>3. The type(s) of service(s) provided under the contract are of a type rendered to the public generally, eg. Do you advertise your services via various media channels?</td>
<td></td>
</tr>
<tr>
<td>4. The service(s) under the contract are provided by two or more persons supplied by the entity (subject to certain conditions being met).</td>
<td></td>
</tr>
<tr>
<td>5. The service(s) provided under the contract are of a type not ordinarily required in RMIT’s business and the contractor usually provides those service(s) to a range of clients.</td>
<td></td>
</tr>
<tr>
<td>6. The provision of labour is secondary to the supply of materials and/or equipment by the contractor. (The provision of labour will be ancillary where the cost of materials and/or equipment exceeds 65% of the contract amount.)</td>
<td></td>
</tr>
<tr>
<td>7. Payments under a relevant contract exceed $800,000 per annum.</td>
<td></td>
</tr>
</tbody>
</table>

If one of the above exemptions does not apply, the entity will be fully responsible for amounts payable in respect of payroll tax.

### Section 5: Workers Compensation Requirement

- I attach a copy of my WorkSafe policy or WorkSafe exempt employer certificate. Or

- I do not have a Workcover policy, please provide the details as per table below:

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Maximum points</th>
<th>Points awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Do you perform the same services for two or more businesses as a contractor?</td>
<td></td>
<td></td>
<td>2 if yes</td>
<td></td>
</tr>
<tr>
<td>2. Do you usually enter into work agreements where you are free to work for more than one business at a time?</td>
<td></td>
<td></td>
<td>2 if yes</td>
<td></td>
</tr>
<tr>
<td>3. Do you usually employ staff or subcontractors?</td>
<td></td>
<td></td>
<td>2 if yes</td>
<td></td>
</tr>
<tr>
<td>4. Do you usually provide significant tools, equipment or materials (see Q 5, Section)</td>
<td></td>
<td></td>
<td>2 if yes</td>
<td></td>
</tr>
</tbody>
</table>
5 Was the contractor usually legally liable for rectifying faulty materials or workmanship (see Q11, Section1) 2 i if yes

6 Did the contractor usually quote competitively for work (RMIT staff to answer) 2 i if yes

7 Did the contractor usually quote a business name (RMIT staff to answer) 1 i if yes

8 Do you regularly advertise a business or promote the contractors services to two or more businesses? 1 i if yes

9 Do you usually submit invoices for the contracted work? 1 i if yes

Total points. FSG only

Note: It is irrelevant whether or not a contractor has a A.B.N..

WorkSafe may usually be satisfied that a contractor carried on an independent business for the purposes of section 8 for a given financial year where the contractor:

Scores 9 or more points for the given year; or

Scores at least 4 points in the given year and 9 or more points for the year preceding the given year, and no contraindications exist. That is the answer provided by this test does not appear to be inconsistent with the substance of the working arrangements.

Section 6: RMIT: Related and Associated Party Disclosure

Other than the information provided below, I or any member of my immediate family:

- do not hold any direct or indirect interest in an entity (Company, Partnership, trust or unincorporated joint venture);
- are not a director of an entity; or
- are not employed by an entity; that provides remunerated services to RMIT or any of its controlled entities.

Details of related and associated party transactions:

Entity: ____________________________________________________________

Value of Associated Services: ________________________________________

Section 7: Current/Previous Employment Status

Check which of the following best describes your current or any previous engagement status with RMIT:

- I am currently an employee at RMIT, if so described school / area: __________________________________________

- I have previously been an employee at RMIT, if so describe last role: __________________________

- I have previously been an employee at RMIT and received a Voluntary Departure Package, redundancy or negotiated separation package

- I have never been an employee at RMIT.

Section 8: Declaration

I warrant that all the information in this form is correct and have attached all necessary documents where applicable.

Signed ___________________________ Dated _______________________

(Contractor / Consultant )
Section 9: RMIT Approval

Authority to Approve: See Delegation of Authority at www.rmit.edu.au/fs.

Endorsed by:  

Title:  
Signature:  
Date:  

Approved by:  

Title:  
Signature:  
Date:  

For RMIT staff only:

Please consider all relevant policies when engaging companies or individuals:

Contract policy and procedure
http://www.rmit.edu.au/browse;ID=lwobhgptwns71

Quotation and Tender policy
http://www.rmit.edu.au/browse;ID=k6t1i4slm08yz

Purchases with and without purchase order
http://www.rmit.edu.au/browse;ID=218bop240mob
http://www.rmit.edu.au/browse;ID=duv3nm5yfn7g