

## CONTRACTOR STATEMENT

### PAYMENT OF WORKERS, PAYROLL TAX & WORKER'S COMPENSATION PREMIUMS

**All suppliers/contractors must provide this Statement with every invoice/Payment Claim for all works/services carried out for NSW Crown Holiday Parks Trust (NSWCHPT)**

Contractor's Legal Name:

Contractors Trading/Business Name:

ABN or ACN:

Contractors Address:

Contract Number:

Contract Name:

Description of Works:

Invoice or Payment Claim Number this Statement Applies to:

Period of Works - From:            To:

### DECLARATION

I declare that the following is true to the best of my knowledge and belief in respect of the Period of Work above

All workers engaged by the Contractor in respect of the works have been paid all remuneration entitlements.
All workers compensation insurance premiums have been paid and attached is a true copy of a Certificate of Currency for workers compensation insurance valid for the period covered by this Statement; or  the Contractor is an exempt employer for workers compensation purposes (see Note 6);
The Contractor is registered as an employer under the Payroll Tax Act 2007 and has paid all payroll tax due in respect of employees in relation to the works the subject of this Statement; or  the Contractor is not required to be registered;
The Contractor has not engaged any subcontractors for the works the subject of this Statement, or  The Contractor has engaged subcontractors and has obtained a similar statement to this Statement from each of those subcontractors and believes it to be true
I am authorised to make this declaration and I am in a position to know the truth of its contents

**Signature of Authorised Person:**

**Name of Signatory:**

**Date:**

**Position or Title of Signatory:**

## NOTES

1. A Contractor is anyone who carries out work under a contract for NSWCHPT. References to "Subcontractor" and "Principal Contractor" in the legislation in Note 2 have been changed to "Contractor" and "NSWCHPT" for convenience.
2. This form is prepared for the purposes of section 127 of the Industrial Relations Act 1996 ("IRA"), section 175B of the Workers Compensation Act 1987 ("WCA") and Schedule 2 Part 5 of the Payroll Tax Act 2007 ("PTA"). These laws allow NSWCHPT to withhold payment from a Contractor without any penalty unless and until the Contractor provides to NSWCHPT a Statement declaring that:
  - a. All workers compensation insurance premiums have been paid (or the Contractor is exempt); and
  - b. all employees have been paid; and
  - c. all payroll tax payable relating to the work has been paid or the Contractor is exempt.
3. A Statement is required for every Invoice/Payment Claim. The periods covered in each Statement must be sequential and leave no gap.
4. The person signing this declaration must be authorised by the Contractor either to sign this Statement or to sign statements of this kind and must be in a position to know the truth of the Statement. The Contractor's principal accounting/financial officer may be appropriate. An individual project manager will normally not be appropriate. If the Contractor is a company then the person signing should be a director unless the company has delegated the power to sign such statements to another person (eg the principal accounting officer).
5. A Statement is not required where NSWCHPT is making payment to a receiver, liquidator or trustee in bankruptcy (see section 127(10) of the IRA, section 175B(12) of the WCA and Sch 2 Part 5 (20) of the PTA).
6. As of 30 June 2011, an employer is exempt from taking out workers compensation insurance if the employer pays less than \$7500 annually on wages, does not employ an apprentice or trainee and is not a member of a group for workers compensation purposes.

## RECORD RETENTION

NSWCHPT will keep a copy of this Statement for 7 years. The Contractor must obtain similar statements from its subcontractors and keep them for 7 years.

## OFFENCES FOR FALSE STATEMENT

Knowingly giving a false statement may be an offence under section 127(8) of the IRA, section 175B of the WCA and Sch 2 Part 5 clause 18(8) of the PTA (see Note 2 for full legislation references).

## FURTHER INFORMATION



These notes are not intended as legal advice and Contractors should obtain their own professional advice if they have any questions about this Statement or these Notes. For more information, refer to OSR Revenue Ruling PT 59 at [www.osr.nsw.gov.au/info/legislation/rulings/payroll/pt059.pdf](http://www.osr.nsw.gov.au/info/legislation/rulings/payroll/pt059.pdf) and visit the WorkCover website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au). Copies of the legislation can be found at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).