

Workers Compensation payment declaration



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Please read "Important information" on page 2 before completing this form.
 You are obliged under Section 130 of the *Return to Work Act* to complete this wage declaration and lodge same with your insurer within 28 days of your Policy's expiry date.

Insured name												
Trading as												
Postal address												
Office address												
Telephone	Email											
Full description of business or trade												
Policy number	Expiry date	ABN							ITC % entitlement			
	/ /											
Total of wages paid in expiring period						Total of estimated wages for future period						
\$						\$						

A. Ordinary employees

Occupation	No. of employees	Gross wages paid in previous period	Occupation	No. of employees	Gross wages estimated for future period
		\$			\$
		\$			\$

If you require family members or company directors to be covered under this Policy, complete sections B and C.

B. Immediate family members

Full name	Relationship	Gross wages paid in previous period	Full name	Relationship	Gross wages estimated for future period
		\$			\$
		\$			\$

C. Company directors (See 'Important information: Directors')

Full name	Occupation	Gross wages paid in previous period	Full name	Occupation	Gross wages estimated for future period
		\$			\$
		\$			\$

D. Contractors/sub-contractors See 'Important information: Who needs to be covered'

Actual amounts paid or allowed in previous period		Estimate of payments or allowances for future period	
Number of workers	Gross amount paid for labour only component of contracts	Number of workers	Gross amount estimated for labour only component of contracts
	\$		\$

E. Full time equivalent

Please state the total number of full time equivalent employees (FTE). A full time equivalent employee is one who works 35 hours per week or more. Any worker who works 35 hours or more per week is counted as 1.0 FTE. A part time employee working 70% of full hours is 0.7 FTE. For casual employees, estimate the proportion of FTE.

Classification	Actual number of FTE 's in previous period	Classification	Estimated number of FTE 's in future period
Full time		Full time	
Part time		Part time	
Casual		Casual	
Total		Total	

Do you employ any Section 457 Visa and/or overseas seasonal workers? Yes No

Declaration and signature

Name and address

I

do solemnly declare the above details to be true and correct.

Declared at on the day of 20

Signature

Before me (witness) Print name

Address

Please note: A person who willfully makes a false statement in a Statutory Declaration is guilty of a crime and liable to a fine or imprisonment, or both.

Signature of person making declaration

This form is a Statutory Declaration and must be signed before a person who has attained 18 years of age. There are legislative requirements that the Declaration must be signed by certain persons depending upon the organisational status of the employer:

- Where the employer is a natural person - the form must be signed by the person.
- Where the organisation is a partnership - the form must be signed by a partner.
- Where the organisation is a company, or body corporate, the form must be signed by a director or secretary of the body corporate or its principal office in the Territory; or
- Where the organisation is an incorporated association, within the meaning of the Associations Act - the form must be signed by the public officer.

Important information

Who needs to be covered

Workers

A worker means a natural person:

- (a) who performs work or a service of any kind for another person under a contract; and is, in relation to the contract, an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953 (Cth), Schedule 1, Parts 2-5; or
- (b) who is a person, or a member of a class of persons, prescribed for this definition as a worker. Examples are jockeys, members of the operations branch of St John Ambulance NT, Fire Brigade and Bushfires and Emergency Services Volunteers

In the case of (a) this applies to a person for whom PAYG tax instalments are required to be withheld by their employer **even if they are not being withheld**.

Contractors /Sub Contractors:

You may need to cover contractors that you employ. This would be the case if you are required to deduct PAYG withholding tax in relation to those contractors, even if withholding tax is not being deducted. To determine this, please refer to the ATO employee/contractor decision tool available on the Australian Taxation website:

<http://www.ato.gov.au/Calculators-and-tools/Employee-or-contractor/>

Obligations of employers

If you employ any person who is a worker, as defined under the Return to Work Act, you must have a current employer's indemnity policy, or workers compensation policy.

Workers compensation premiums are based on your estimate of the payments that are expected to be made to persons who may have an entitlement to make a workers compensation claim against you.

At the end of the period of insurance you must provide a declaration of the actual payments made to persons who were entitled to make a workers compensation claim against you.

An adjustment premium will be calculated (by charging more, or allowing a credit or refund) based on the difference between the estimated payments and the actual payments.

The statement of estimated and actual payments is required to be made within 28 days of the issue, renewal or expiry of a policy. Failure to provide this statement is an offence under the Return to Work Act.

Wage Book Inspections

The legislation requires an employer to keep a full and correct records of payments made to workers for a period of 7 years.

The insurance policy permits an insurer or their representative to conduct inspections of your records and any discrepancies to be adjusted by payment of additional premium or a refund as the case may be.

Gross wages to be included

Wages, salary, overtime, shift and other allowances, over-award payments, bonuses, commissions, payments for public holidays and annual holidays (including loadings), payments for sick leave, payments for long service leave (including a lump sum payment instead of long service leave), including but not limited to:

- the market value of meals, accommodation and electricity provided by the employer for the worker;
- the total value of any salary sacrificed amounts, for example, motor vehicles, (including fringe benefits applicable to these salary sacrifices);
- superannuation contributions that would be payable to a worker as wages or salary if the worker so elected (eg. salary sacrificed superannuation).

The following are not included

These are not prescribed by the legislation, but are simply guides for insurers and employers.

- Workers compensation payments made under the Act
- Maternity or paternity leave payments, including payments under the Australian Government's Paid Parental Leave scheme
- Superannuation that is paid by employers under the Compulsory Superannuation Guarantee Levy, including contributions made by the employer over and above the compulsory levy
- Any and all payments for retirement, redundancy or termination
- The value of staff discounts
- The value of costs reimbursed to workers that were incurred in earning their income.

Directors

- A Director can only be covered where PAYG tax instalments are required to be withheld **even if they are not being withheld**.
- If cover for a director is required, the name, nature of employment and remuneration for each director must be listed on the proposal at Policy inception and on each wage declaration for renewal of Policy. If these details are not provided to the insurer, cover is not in place.
- Directors of an incorporated company have the choice of including themselves for cover under the Workers' Compensation Policy or not.
- Directors fees (as well as any wages) are to be declared for the purpose of setting a premium.
- Family members of directors are not considered a 'Family member' for the purpose of the Act. They are simply employees. Therefore if any family member of a director is being paid wages by the company, such wages are to be declared as part of ordinary employee wages.

Family members

An immediate family member includes a husband or wife (including a de facto husband or wife), a parent (including a stepmother or stepfather) or grandparent, a child (including a stepchild) or grandchild, a brother or sister (including a half brother or sister) of a natural person, being a proprietor or partner.

- If cover for a family member is required, the name and remuneration for each family member must be listed on the proposal at policy inception and on each wage declaration for renewal of Policy. If these details are not provided to the insurer, cover is not in place.
- Family members of a sole proprietor and/or partner have the option of including themselves for cover under the Workers' Compensation Policy or not.