

APPLICATION FOR NSW WORKERS' COMPENSATION POLICY



Every employer must take out an insurance policy covering the full amount of the employer's liability under the Workers' Compensation Act 1987 in respect of all workers employed by the employer.

How to apply for a policy

Please complete the form in BLOCK LETTERS, tick (✓) the appropriate boxes and forward your completed form to your local Allianz Australia office. Allianz Australia will issue you with a policy and a premium notice, which will state the premium payable. Section 192 of the Workers' Compensation Act 1987 requires an employer to pay any premium DIRECT TO THE INSURER and not to an insurance broker, agent or intermediary.

Cover note

If you require a cover note please ring your local Allianz Australia office. Please write your cover note number in the

space provided in Section 1 below. If you apply for a cover note, please ensure that you send this completed application to Allianz Australia within 30 days of the date of issue of the cover note.

Do you need help?

If you need help to complete this form, please contact your insurance adviser or ring your local Allianz Australia office.

OFFICE USE ONLY	
Policy no MW	
Effective date	Expiry date 4.00 pm
Agent no	
Client no	Rep code

1 COVER NOTE

Has a cover note been issued in respect of this application?

No Yes

If yes, please state cover note number

Agent/Broker name

2 EMPLOYER DETAILS

Legal name of employer

Please state IN FULL the name of the employer. This may be a company, a person, partnership or a trustee of a trust. If the employer is a trustee please state the name of the trustee and the name of the trust.

Legal status of employer

Please ✓ to indicate the legal status of the employer

Company	<input type="checkbox"/>	Sole proprietor	<input type="checkbox"/>
Partnership	<input type="checkbox"/>	Trustee	<input type="checkbox"/>
Other	<input type="checkbox"/>	Co-operative, welfare, or charitable organisation	<input type="checkbox"/>

Please specify

ACN or ARBN (if applicable)

Registered business name or trading name (if applicable)

Are you registered for GST? No Yes

ABN Number

To what extent are you entitled to claim an Input Tax Credit on your Insurance premiums? %

Postal address

Please state the postal address to be used for all correspondence, notices and invoices.

Town/Suburb

State

Postcode

Please state the name of the person who will deal with WorkCover related queries for you.

Name

Position

Telephone ()

Mobile

Fax ()

Location of worksites

Please state the street address and suburb of your main worksite in NSW. If you are a tradesperson or a consultant and work on different sites please state the street address from which you operate your business.

No/Street

Suburb

State

Postcode

Do you have employees who are likely to perform work in another state or territory of Australia?

No Yes If yes, advise states or territories.

Please note that you will need to arrange separate cover for these employees. Please contact your insurance adviser or Allianz Australia for assistance.

Does this corporation have related corporation(s) for example:

- holding company,
- subsidiary,
- any other corporation which is directly or indirectly controlled by or controls this corporation,
- any other corporation which is a subsidiary of the holding company of this corporation or controlled by the owners of this corporation.

No Yes If yes, please complete the following:

Name of related Corporation/s	
ACN or ARBN	
Insurer	Policy number
Name of related Corporation/s	
ACN or ARBN	
Insurer	Policy number
Name of related Corporation/s	
ACN or ARBN	
Insurer	Policy number

If insufficient space please attach separate listing.

3 INSURANCE DETAILS

Main business or industrial activity

Please give a detailed description of the business. This information is used to classify your business to determine the premium. If you do not provide sufficient detail then you may be charged an incorrect premium.

ANZSIC Code for office use

Previous insurance history

Did you establish this business?

No Yes If yes, when / /

Did you purchase this business?

No Yes If yes, when / /

Has this business been insured for workers' compensation in the past two years?

No Yes If yes, please complete the remainder of section 3.

Last year

Name of Insurer	Policy No
<input type="text"/>	<input type="text"/>

Period of insurance from	<input type="text"/> / <input type="text"/> / <input type="text"/>	to	<input type="text"/> / <input type="text"/> / <input type="text"/>
--------------------------	--	----	--

Total wages paid	\$ <input type="text"/>
------------------	-------------------------

Year before last

Name of Insurer	Policy No
<input type="text"/>	<input type="text"/>

Period of insurance from	<input type="text"/> / <input type="text"/> / <input type="text"/>	to	<input type="text"/> / <input type="text"/> / <input type="text"/>
--------------------------	--	----	--

Total wages paid	\$ <input type="text"/>
------------------	-------------------------

4 SCHEDULE OF WAGES

You must include an estimate of wages for all direct and deemed workers employed in NSW.

Wages includes salary, overtime, shift and other allowances, over-award payments, bonuses, commissions, payments to working directors, payments for public and annual holidays (including loadings), payments for sick leave, value of board and lodging provided by the employer for the worker or any other consideration in money or money's worth given to the worker under a contract of service or apprenticeship. Wages includes fringe benefits costs.

For information about which workers are covered in NSW, including which employees are 'direct' workers or 'deemed to be' workers and which contractors are 'deemed to be' workers, please turn to page 3 of this application form.

4a Direct workers

Please complete the estimate of wages for all direct workers.

Description of business	No of employees	Estimate of wages \$	Tariff no
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Description of business	No of employees	Estimate of wages \$	Tariff no
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Description of business	No of employees	Estimate of wages \$	Tariff no
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

4b Deemed workers/contractors

Please indicate the contract value for all deemed workers.

Describe the type of work performed	
No of contract workers	Estimate of each contract \$
Code*	Tariff no For office use
Describe the type of work performed	
No of contract workers	Estimate of each contract \$
Code*	Tariff no For office use
Describe the type of work performed	
No of contract workers	Estimate of each contract \$
Code*	Tariff no For office use

* Please indicate the type of contract using the following codes:
 Labour only: LO Labour and tools: LT
 Labour and plant: LP Outworkers: O
 Labour, plant and material: LPM

5 CLAIMS EXCESS

This option applies only to employers where the basic premium is \$3,000 or less.

For any claim, you will normally have to pay the first \$500 weekly benefits. This is called an excess. If your basic premium is \$3,000 or less you can remove the excess by paying an extra 3% of premium.

Do you wish to remove the \$500 excess and pay the additional 3% of premium?

No Yes

6 DUST DISEASES LEVY

Do you employ workers who are engaged in the handling or processing of asbestos or the manufacture of asbestos products?

No Yes

If yes, please estimate the wages applicable to those workers handling or working with asbestos \$

7 DECLARATION

I/We

- request Allianz Australia Workers' Compensation (NSW) Ltd (ACN 003 087 545) to issue me/us with a Workers' Compensation policy that covers all workers employed by me/us and who are engaged in the business to which this policy applies;
- declare that all the information in this application and any documents that form part of this application, including the estimate of wages, are true and correct and that there are no omissions or misrepresentations;
- undertake to keep a proper Wages Book in which the names and earnings of every worker, employee and/or contractor will be entered regularly;
- undertake to supply Allianz Australia with a correct account of all wages, salaries and other forms of remuneration paid or accrued during the period of indemnity within two months of the expiry of such indemnity. If the total amount paid differs from the amount on which the premium has been paid, the difference in premium shall be met by a further proportionate payment to Allianz Australia or by a refund from Allianz Australia, but subject always to the statutory minimum premium;
- agree that this proposal shall be the basis of the contract and form part of the policy issued by Allianz Australia;
- understand that cover is subject to the terms, conditions, exclusions and limitations of the policy;
- authorise Allianz Australia to obtain or supply details of claims and other relevant information.

Signature of person taking responsibility for information provided on this form and any attached sheets

Print full name of person who signed this application

Name

Position

Date / /

8 INFORMATION ON WHO IS COVERED IN NSW

Definition of a worker covered under the NSW Workers' Compensation Act

A worker is any person who has entered into or works under a contract of service or apprenticeship with an employer, whether or not the contract is expressed or implied, oral or in writing. There are two classifications of workers who must be covered:

- Direct workers, and
- Deemed workers/contractors.

You must cover **some** types of contractors under your workers' compensation policy. Contractors who are classed as direct workers or deemed workers must be covered. Other contractors will need to provide for their own workers' compensation cover.

The contractor questionnaire on page 4 will help you determine if the contractor is a worker for the purposes of workers' compensation.

Direct workers

Direct workers are all employees and includes working directors, apprentices and members of the employers family or household or relatives working for the employer.

An apprentice or worker who is temporarily lent or let on hire to another person continues to be your worker and must be covered by your workers compensation policy.

The wages of all direct employees should be included in section 4a.

Deemed workers/contractors

People who work under a contract, including outworkers, may be deemed to be a worker under the Act. The wages estimate for all deemed workers must be included in section 4b.

The following are deemed as a worker under Schedule 1 of the Act:-

- **outworker**, that is, a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished or repaired, or adapted for sale, either at the person's home or on other premises not under the control or management of the person who gave out the materials or articles.
- **contractor**, where the value of the work exceeds \$10, and the contract is made with the contractor who neither sublets the contract nor employs workers. The Contractor Questionnaire on page 4 will help you determine which "contractors" are deemed to be workers.
- salespersons, paid wholly or partly by commission
- tributers, mine employees, mine rescue personnel
- jockeys, harness drivers
- caddies and other casuals
- shearers' cooks (and others)
- workers at place of pickup
- boxers, wrestlers, entertainers
- certain ministers of religion
- rural workers who are employed for activities such as fencing, tree felling, land clearing, ringbarking.

CONTRACTOR QUESTIONNAIRE

The following questionnaire will help you determine if you should include specific contractors in your wages declaration. The issue is very complex. If you are unsure please contact your broker or accountant, your local Allianz Australia office or NSW WorkCover.

Answer the questions in both columns. If you are not certain, compare both columns, as the right hand column provides the alternative to the left hand column.

Q.1 Nature of the contract

Is the contract made between you and the contractor's limited liability company, properly constituted partnership, trust or other legal entity?

OR

If the contract exceeds \$10, is the contractor a tradesperson conducting a business in a recognised trade, generally available to carry out work in that trade and the nature of the contracted work is in that trade?

OR

If the person is a sole trader, can you demonstrate that he/she is carrying out on independent business in his or her own name or under a business name. Evidence could include business cards, advertising, stationery, telephone directory listing, signs, invoices in a business name.

Yes No

Is the contract made between you and an individual?

OR

If the person is a tradesperson is he/she engaged to carry out work outside his/her normal trade, eg a plumber engaged to move furniture? (A person who does not have a recognised trade, eg a labourer is not considered a tradesperson.)

OR

Is the person a sole trader who does not operate a business and is working exclusively for a single employer and not seeking work from other employers?

Yes No

Q.2 Degree of control over work carried out

Is the contractor engaged to carry out a particular task, using his or her own skill and judgement?

Yes No

Does the person work generally under the direction of the employer who determines, the work to be performed and the time and manner in which it is performed?

Yes No

Q.3 Employment of workers

Does the contractor employ any workers in relation to the contract or sub-let all or part of the contract out?

Yes No

Does the person carry out the work personally?

Yes No

Q.4 Payment

Is the contractor paid on the basis of a quotation for the job?

Yes No

Is the person paid on a time basis, eg by the hour, week, month?

Yes No

Q.5 Supply of tools of trade

Does the contractor supply his or her own tools and materials?

Yes No

Are the tools and materials supplied by the employer?

Yes No

Q.6 Taxation arrangements

Is the person subject to PPS tax arrangements?

Yes No

Does the employer deduct PAYE tax?

Yes No

If you answered **yes** to the majority of questions in this column then the person is considered to be a contractor. Do not declare the wages of these workers in your declaration of wages.

Employers who employ a contractor who is not deemed to be a worker must ensure that these contractors hold a current Workers' Compensation policy in their own name. Failure to do so may make the employer liable for the full premium in respect of a contract in the event of a claim.

If you answered **yes** to the majority of questions in this column then the person is considered to be a deemed worker. You must declare the wages of these workers in your estimate of wages in section 4b.