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# Consultant or Independent Contractor?

**To be completed by the Law Practice.**

Name of Consultant:

Role of Consultant:

Name of Law Practice:

Please answer these questions on the basis of the contract or agreement between the law practice and the consultant.

Questions specific to each particular consultant		Please tick (✓)	
		Yes	No
1.	Does the law practice retainer or costs agreement govern the work that the consultant does for the client?	<input type="checkbox"/>	<input type="checkbox"/>
2.	Is it true that the consultant has no direct contract with the client?	<input type="checkbox"/>	<input type="checkbox"/>
3.	Does the consultant use the law practice letter head, email domain or a form of the law practice's email signoff in communications with the client?	<input type="checkbox"/>	<input type="checkbox"/>
4.	Does the law practice bill the client for work done by the consultant?	<input type="checkbox"/>	<input type="checkbox"/>
	a) If yes to 4., does the law practice (not the client) pay the consultant?	<input type="checkbox"/>	<input type="checkbox"/>
5.	Is it true that the consultant is not permitted to bill the client directly for work done?	<input type="checkbox"/>	<input type="checkbox"/>
6.	Is the consultant required to comply with policy and procedures of the law practice (whether or not in writing)?	<input type="checkbox"/>	<input type="checkbox"/>

*Continued overleaf*

7.

Do any of the following apply?

a) the law practice withholds tax in respect of the consultant and remits to the revenue authorities

☐☐

b) the consultant has leave entitlements against the law practice

☐☐

c) the law practice makes superannuation contributions on behalf of the consultant

☐☐

d) the consultant does not issue tax invoices to the law practice

☐☐

I declare that the above information is accurate:

Name:

Position:

Date:

### FOR OFFICE USE ONLY

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**Underwriter's recommendation:**

Consultant covered under insurance policy of law practice.

Law Practice Name: \_\_\_\_\_

Law Practice No: \_\_\_\_\_

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**Underwriter's recommendation:**

Consultant not covered under insurance policy and is required to make own insurance arrangements.

Law Practice Name: \_\_\_\_\_

Law Practice No: \_\_\_\_\_

**Underwriting Authorisation:**

*Information correct at April 2025*