

# Regional Land Partnerships (RLP)

## Quick reference guide – engaging a subcontractor

As a service provider, you are responsible for the complete management of any subcontractors you engage to assist in the delivery of your services agreement. This quick reference guide is designed to help you understand your responsibility and what your services agreement with the Department of Agriculture, Water, and the Environment (the department) requires you to carry out when engaging and managing a subcontractor.

### What is a subcontractor?

A subcontractor is someone you as the service provider engage to deliver part of your obligations under the services agreement. They may not be contracted to perform all of your obligations under the services agreement.

### What to do if you want to engage a subcontractor?

#### Check your subcontractor meets the department's requirements

**Section 16** of the services agreement outlines key requirements your subcontractor needs to comply with in order to be approved by the department.

**Turn over for the key details you need to know.**

#### Develop a written agreement for the subcontractor to sign

You are required to have a **written agreement** in place and signed by you and your subcontractor. You must specify clauses as outlined in the RLP services agreement.

**Turn over for the key details you need to know.**

#### Maintain a register of all subcontractors and ensure access to subcontractors by the department

You need to complete and maintain a register of all subcontractors. You must also ensure that each subcontractor can meet with the Department, as and when reasonably required, by the Department.

#### Monitor your subcontractor throughout the course of their work

You remain responsible for obligations, services and functions performed by any subcontractors to the same extent as if those obligations, services and functions were performed by you the service provider.

#### Notify your project manager of intention to terminate

You need to notify the department of the intent to terminate a subcontractor **15 business days before the proposed termination of a key subcontract**. You also need to notify the department if a key subcontract is about to expire.



#### Questions or concerns?

Talk to your project manager



For more information refer to **section 16** of your services agreement

# Regional Land Partnerships Program

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### Check that your subcontractor meets the department's requirements

#### Your subcontractor must have:

- Their own insurance and maintain their insurance relevant to the task being performed during the work period.
- Employees with valid work visas or who are Australian citizens.
- A declaration of compliance with the building code.
- Accurate and complete accounting records during and for a period of seven years from the expiry of the RLP services agreement.

### Develop a written agreement for the subcontractor to sign

#### What needs to be included in the written agreement?

- A right of termination and the department's right of revocation.
- Power of attorney in favour of the department to complete the work.
- Compliance with the following sections of the services agreement:

**24:** Intellectual property rights  
**26:** Protection of department data  
**30:** Change in control  
**36:** Confidentiality  
**37:** Protection of personal information  
**39:** Acknowledgement & promotion  
**42:** Freedom of information

**43:** Illegal workers  
**44:** WH&S  
**47:** Conflicts of interest  
**48:** Security  
**49:** Compliance with policies & law  
**51:** Fraud  
**52:** Books & records  
**53:** Audit & access



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For more information refer to **section 16** of your services agreement