

## School Council Hire Agreements - Guide to Completion Checklist

Step Number	Instruction	Completed?
<b>1.</b>	<b>SCHEDULE 1, ITEM 1</b>	
1.1	<p>Complete details of the school council:</p> <p>(a) name of school council, for example Department East Primary School Council;</p> <p>(b) ABN; and</p> <p>(c) address of school council.</p>	<input type="checkbox"/>
<b>2.</b>	<b>SCHEDULE 1, ITEM 2</b>	
2.1	<p>Complete the details of the third party (hirer):</p> <p>(a) name;</p> <p>(b) ABN; and</p> <p>(c) registered address or principal place of business.</p> <p>A business or trading name is not enough. For example, if an individual trades under a business name, then you would write “[<i>individual’s name</i>] trading as [<i>Business Name</i>]”. If a Company owns the business name, you would write “[<i>Company Name Pty Ltd ACN 123 456 789</i>] trading as [<i>Business Name</i>]”.</p> <p>The only time that the ABN of the hirer should not be inserted is if the hirer is an individual who does not carry out a business.</p>	<input type="checkbox"/>
<b>3.</b>	<b>SCHEDULE 1, ITEM 3</b>	
3.1	<p>Insert a description of the part of the school (described as “Land”) which is to be hired. You should also refer to the plan attached to the hire agreement at Annexure A.</p> <p><b>EXAMPLE:</b> “Room 1 at [insert name of school and address] as shown cross-hatched on the Plan.”</p>	<input type="checkbox"/>
<b>4.</b>	<b>SCHEDULE 1, ITEM 4</b>	
4.1	<p>Insert a description of the school where the area to be hired is located.</p> <p><b>NOTE:</b> Usually crown allotment or certificate of title particulars are inserted here. However, if this is unknown to the school council, the full name of the school together with the full address is sufficient.</p> <p><b>EXAMPLE:</b> “Spotswood Primary school - 600 Melbourne Road, Spotswood, Victoria, 3015.”</p>	<input type="checkbox"/>

<b>5.</b>	<b>SCHEDULE 1, ITEM 5</b>	
5.1	<p>Insert the total hire fee payable by the hirer. You need to specify if the hire fee includes or excludes GST.</p> <p><b>EXAMPLE:</b> "\$500 (excl. GST)"</p> <p>If no hire fee is payable, insert "Not applicable".</p>	<input type="checkbox"/>
<b>6.</b>	<b>SCHEDULE 1, ITEM 6</b>	
6.1	<p>If the school council requires the hirer to pay a security deposit (to secure its obligations under the hire agreement), insert the amount of the security deposit.</p> <p>If the school council does not require the hirer to pay a security deposit, insert "Nil".</p>	<input type="checkbox"/>
<b>7.</b>	<b>SCHEDULE 1, ITEM 7</b>	
7.1	<p>Insert details of the proposed use of the hired area (it must be something which is educational, recreational, sporting or cultural in nature).</p> <p><b>EXAMPLE:</b> "To conduct a community soccer match."</p>	<input type="checkbox"/>
<b>8.</b>	<b>SCHEDULE 1, ITEM 8</b>	
8.1	<p>Insert the date and time the hirer may use the hired area.</p> <p><b>EXAMPLE:</b> "12 June 2012, from 9.00 am to 1.00 pm."</p>	<input type="checkbox"/>
<b>9.</b>	<b>SCHEDULE 1, ITEM 9</b>	
9.1	<p>A requirement that the hirer hold public liability insurance of \$10 million per event has been inserted in this item (this is a standard amount). If the school council wishes a different amount to be included (for example, the hirer meets criteria for coverage under the Department's public liability coverage), please ensure that appropriate advice has been obtained.</p>	<input type="checkbox"/>
<b>10.</b>	<b>SCHEDULE 1, ITEM 10</b>	
10.1	Complete details of the school council's representative.	<input type="checkbox"/>
10.2	Complete details of the hirer's representative.	<input type="checkbox"/>
<b>11.</b>	<b>SCHEDULE 1, ITEM 11</b>	
11.1	<p>Insert or attach any special conditions, if applicable.</p> <p>Special conditions will override the general terms of the hire agreement (to the extent of any inconsistency). If your hire agreement requires additional special conditions, legal advice is strongly recommended.</p>	<input type="checkbox"/>

12.	<b>Annexure A</b>	
12.1	Attach a plan of the Land, with the area to be hired by the hirer clearly indicated by cross hatching.	<input type="checkbox"/>
13.	<b>SIGNING THE HIRE AGREEMENT</b>	
13.1	<p>If the hirer:</p> <p>(a) is a company, have two directors OR a director and company secretary of the hirer sign, print their name and insert the date where indicated;</p> <p>(b) is an incorporated association, have two authorised representatives of the hirer sign, print their names and insert the date where indicated; or</p> <p>(c) is an individual, have the hirer sign, print their name and insert the date where indicated. Their signature <u>must</u> be witnessed by another person, and that person must also sign and print their name where indicated.</p> <p>If an individual is unable to sign the hire agreement a result of a disability, please contact the Legal Division for advice on alternate signing arrangements.</p>	<input type="checkbox"/>
13.2	The President of the school council and a witness must sign, print their name and insert the date where indicated.	<input type="checkbox"/>