

ANNEX

TRIPARTITE STANDARD ON CONTRACTING WITH SELF-EMPLOYED PERSONS

Purpose

1. The growth of the platform economy creates opportunities for businesses, consumers and workers, in particular self-employed persons (SEPs)¹. To ensure the sustainability of the economy of self-employed work, businesses whether as service buyers or intermediaries², and SEPs must fulfil their obligations.
2. Businesses should set out their arrangement with SEPs clearly to lend clarity to the expectations and conduct of the relationship. Clearer obligations and duties foster better working relationships between businesses and SEPs, and enable SEPs to provide better services. SEPs on their part should fulfil their obligations and duties in a responsible manner.

Specifications

3. Terms of products or services to be delivered are discussed with SEPs. The terms agreed upon are documented in written key terms and provided to SEPs before any products or services are delivered.
4. The written key terms are set out clearly and include the following:
 - i. Names of contracting parties;
 - ii. Parties' obligations, such as nature of services to be provided (e.g. outcome; duration; location);
 - iii. Payment
 - a. Amount of payment due for each product or service (or part thereof);
 - b. Due date of payment(s) (e.g. a fixed number of days after the SEP issues an invoice for delivered services or milestones, or periodic payments for services rendered during that period);

¹ Self-employed persons (SEPs) operate their own trade or business, and include freelancers such as graphic designers, sport coaches and tourist guides.

² Businesses may be service buyers that procure services from SEPs directly, or intermediaries that facilitate provision of services by SEPs to service buyers.



- iv. If terms on variation of the agreement are provided for, how either party can vary the key terms or terminate the agreement (e.g. by mutual agreement);
- v. If terms for resolving disputes are provided for, the option for mediation should be made available, without it being a barrier to either party bringing any dispute directly to the Small Claims Tribunals³.

³ The Small Claims Tribunals were established to provide an affordable and expeditious forum for resolution of smaller value disputes, including disputes between SEPs and businesses.