

Dental Practitioner Contracts 1.1

The Basics for the Dental Practitioner Employee, Independent Contractor or Facility User in Australia

“Forming an Agreement”

In this presentation...

We will consider how the agreements take form and the steps in contract negotiation.

DISCLAIMER

The information contained in this video presentation is intended for information only and should not be relied upon nor considered as legal advice.

Individuals should seek informed legal advice about their circumstances from a a practising Australian Lawyer and not act on the basis of this information alone.

Relevant Aspects of a Contract

Common Law

Heads of Agreement

Offer and Acceptance (what is agreed)

Intention to create legal relations (or is it just conversation)

Consideration (usually payment for provision of services)

Entire Contract / Four Corners (Oral Pre Contract discussions)

Implied terms (best endeavours, notice)

Uncertainty (example Dispute Resolution Clauses)

Key Terms of an Employment Contract

Common Law

Remuneration

Superannuation (Base rate of pay)

refer to an award and /Fair Work Act

Hours of work

Leave (notice of)

Restraint

Implied terms

Key Terms of an SFA

Common Law

As for ICA

Absence from Practice

Restraint

Invoicing and GST (to worker dentist)

Fees held on trust

Getting to Agreement of a Contract

Read the Contracts

Understand the terms

Negotiation

Refusal (demand and need)

Walk away

Time

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