**Request for quote – Formal instructions**

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| **Valuer** | **Name** |  | |
| **ABN** |  | |
| **Address** |  | |
| **Primary contact** |  | |
| **Phone** |  | |
| **Mobile** |  | |
| **Fax** |  | |
| **Email** |  | |
|  | | | |
| **Client** | **Name** |  | |
| **ABN** |  | |
| **Address** |  | |
| **Primary contact** |  | |
| **Phone** |  | |
| **Mobile** |  | |
| **Fax** |  | |
| **Email** |  | |
| **Preferable contact hours** |  | |
| **Additional contact** | **Name** |  |
| **Phone** |  |
| **Email** |  |
| **Second additional contact** | **Name** |  |
| **Phone** |  |
| **Email** |  |

***[Client]*** is seeking a valuation service to provide the deliverables outlined below. *I/We* invite ***[Valuer]*** to submit a proposal/quote for the provision of that service in accordance with your independent and professional judgment.

The valuation advice or report prepared as a result of this engagement may be submitted to the Australian Taxation Office, and used in administering ***[Client]***’s tax affairs. The report may also be made available to other government agencies and departments, and may be presented to a Court or Tribunal in the future.

***[Client]*** is available to provide assistance to ***[Valuer]***, and acknowledges ***[Valuer]***’s right to refuse to provide an opinion or report if not provided with the information, explanations and assistance required.

**Expert witness**

The valuer(s) *[may/will]* be required to appear as expert witnesses in a Court or a Tribunal in regard to the proposed valuation engagement. Please confirm in your proposal/quote that you will be able, if required, to appear as an expert witness. *Note that any additional costs for this will be considered at a later stage and should not be included in this proposal/quote*.

An expert witness must be independent and impartial, and has an overriding duty to assist the Court on matters relevant to the expert’s area of expertise. As applicable, please refer to and acknowledge in your proposal/quote and report that you have read the following guidelines on the responsibilities of an expert witness, and on preparing expert reports for litigation:

* [Division 23.2 of the Federal Court Rules 2011 (Cth)](http://www.comlaw.gov.au/Series/F2011L01551)
* [Practice note CM7 - Expert witnesses in proceedings in the Federal Court of Australia](http://www.fedcourt.gov.au/law-and-practice/practice-documents/practice-notes/cm7)
* the Administrative Appeals Tribunal’s [Guidelines for Persons Giving Expert and Opinion Evidence](http://www.aat.gov.au/AAT/media/AAT/Files/Directions%20and%20guides/Guideline-Persons-Giving-Expert-and-Opinion-Evidence.pdf)
* any other relevant rules or guidelines which apply to experts.

***Valuers’ conference***

*In the event that your report/advice is submitted to the Australian Taxation Office or similar organisations, and valuer conferencing is recommended, please confirm in your proposal/quote that you will be able to participate in a valuers’ conference with other parties and valuers. Note that any additional cost for this will be considered at a later stage and should not be included in this proposal/quote.*

**Independence**

Please confirm in both your proposal/quote and in your final report that:

* you have no actual or perceived conflict of interest issues in this matter
* you have no actual or perceived personal or financial interests in this matter
* any fee you receive for providing a report/advice is not dependent on the outcome or findings of that report/advice.

Please also undertake to immediately advise ***[Client]*** if any such interests or conflicts arise during the course of the proposed engagement.

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| **Background** | | |
|  | **Facts** | *Include relevant background facts (eg the particulars of a transaction, the parties involved, the type of entity/asset/liability to be valued, a timeline of events, etc).* |
|  | **Assumptions about the asset/subject being valued** | *These may be matters not within the valuer's knowledge but should ideally not be in dispute (eg the date of a Capital Gains Tax event, classification of assets).* |
|  | **Supporting documentation** | *These should be primary source documents (eg contracts, transactional documents, financials, lease agreements) rather than documents containing any technical or legal contentions, discussion or opinion.* |
| **Valuation services requested** | | |
|  | **Valuation question** | *Outline the valuation question/what you need to determine (eg what was the market value of the real properties as at 1 July 2000). Note that the question should be one of fact and not law (eg rather than ask ‘were the parties operating at arm's length’, the question should be ‘what would an arm's length price/value be’).* |
|  | **Valuation date** | ***Date*** |
|  |  | This is the effective date for the valuation (eg you request a valuation *of the* subject property as at 1 July 2000). |
|  |  | ***Legislative basis*** |
|  |  | *Detail any legislative basis for the valuation date (eg Item 3 of the table at 75-10(3)(b) of A New Tax System (Goods and Services Tax) Act 1999).* |
|  | **Services requested** | ***Valuation product*** |
|  |  | *Detail the valuation service you need (eg review of a valuation, limited scope valuation, full valuation, technical advice, etc). Refer to* [*APES 225*](http://www.apesb.org.au/login/uploads/standards/apesb_standards/13092014105315p1.pdf) *and the associated APES Guidance Note 20 for guidance on specific valuation products.* |
|  |  | ***Deliverable*** |
|  |  | *Outline the format that you want the valuer’s advice to take (eg a written report (executive summary or comprehensive report), verbal advice, email response, meeting attendance, appearance as an expert witness, assistance with litigation, etc).* |
|  | **Special instructions** | *Include any specific requirements or instructions, for example:*   * *any specific timeframes* * *any information (such as financials) that you request the valuer to rely on at face value for the purposes of a limited scope valuation* * *any requirements for the valuer to prepare an ‘approved valuation’ - see 75-35 A New Tax System (Goods and Services Tax) Act 1999;* *Margin Scheme Valuation Requirements Determination MSV 2009/1* * *the required valuation standard (eg fair market value, liquidation value, market value in accordance with Australian Taxation Office guidelines, etc)* * *specific aspects or assumptions of an existing valuation report to be discussed in a valuation review/critique*. |
| **Details of subject to be valued** | | |
| *Provide specific details of the asset, liability, business or ownership interest to be valued or assessed (eg title references, etc).* | | |
| **Purpose of valuation** | | |
| *Detail* ***how you will use*** *the valuer’s opinion (eg to determine your Income Tax liability, for litigation, preliminary discussions or mediation, etc).*  *Also outline the* ***context*** *of the valuation exercise by detailing any applicable legislative provisions or Australian Accounting Standards Board standards.* | | |
| **Report** | | |
|  | **Form of report** | ***[Client]*** requests that you consider the [*ATO Market Valuation for Tax Purposes* Guide](https://www.ato.gov.au/General/Employee-share-schemes/In-detail/Market-value/Market-valuation-for-tax-purposes/?page=20#Part_D__Valuation_reports), and paragraph 5.2 of [*APES 225*](http://www.apesb.org.au/login/uploads/standards/apesb_standards/13092014105315p1.pdf), when preparing your report. Please also include a copy of these instructions and any other instructions as an appendix to your report.  *Outline any other requirement you have with reports (eg to receive electronic or hard copies of the report).* |
|  | **Methodology** | If the selection of a methodology or methodologies is required to provide the valuation services requested, please detail in your report the reasons for selecting any particular methodology, and explain why other methodologies, (including any suggested by ***[Client]***) are not considered suitable.  ***[Client]*** acknowledges that you will use your professional judgment to apply the most appropriate methodology or methodologies for the valuation services. |
| **Timeframes** | | |
| Desired completion date | |  |
| **Real property valuations** | | |
| Consent has been obtained from the owner and the occupier of the premises for ***[Valuer]*** to access the property for the purpose of inspection to complete a valuation.   |  |  | | --- | --- | | **Name of contact to arrange access:** |  | | **Phone:** |  | | **Mobile:** |  | | **Email:** |  | | | |
| **Documents available to valuer**  Please provide details in your proposal/quote of any information, documentation or further explanation youwill require to perform the valuation services requested.  If you require further information, explanation or assistance to provide a proposal/quote, please contact ***[Client]***. | | |
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| **Personnel** | | |
| Please list in your proposal/quote all personnel, (including all subcontracted personnel) to be involved in any engagement, and detail their experience, qualifications and accreditations, focussing in particular on their experience and expertise relevant to the valuation services requested. | | |
| **Fee** | | |
| *For example, you may wish to request that the valuer’s proposal/quote includes a detailed breakdown calculation of the fee estimate, including: fee cap, hourly rates of personnel involved, and estimated hours projected across all components of the engagement.*  ***[Client]*** acknowledges that any fee levied by you under an engagement should not be dependent on or influenced by your findings or your report/advice. | | |
| **Invoices** | | |
| Please indicate in your proposal/quote how invoices will be levied (on an interim basis and/or at the conclusion of an engagement).  Invoices under an engagement should be addressed to: | | |