



Standard Form Contract

Parties

Name	Food Standards Australia New Zealand A statutory authority established under section 12 of the <i>Food Standards Australia New Zealand Act 1991</i>
Address	55 Blackall Street BARTON ACT 2600
Contract name	Authority
Name	[insert Name of Supplier] ABN/ACN/ARBN: [insert Supplier ABN/ACN/ARBN]
Address	[insert Business Address of Supplier]
Contract name	Supplier

A. Background

- A.1** The Authority requires the provision of the Supplies.
- A.2** The Supplier has fully informed itself on all aspects of the Authority's requirements and has:
- (i) submitted an offer; and
 - (ii) represented that it has the requisite skills and experience to meet those requirements.
- A.3** The Authority has agreed to engage the Supplier, and the Supplier has agreed to be engaged, to provide the Supplies on the terms and conditions of this Contract.

B. This Contract

- B.1. Supplies:** The Supplier agrees to provide the Supplies to the Authority and the Authority agrees to purchase the Supplies in accordance with the terms of this Contract.
- B.2. Contract Documents:** This Contract comprises:
- (a) the Special Conditions (if any);
 - (b) this document including the Statement of Requirement;
 - (c) The *Commonwealth General Conditions of Contract* available at <https://www.tenders.gov.au/?event=public.document.list> in the form they appeared at 9:00 am (local Canberra time) on the date of this Contract; and
 - (d) *Annex 1 – Supplier's Offer* (if any).
- If there is any ambiguity or inconsistency between the documents comprising the Contract, the document appearing higher in the list will have precedence to the extent of the ambiguity or inconsistency.
- B.3. Special Conditions:** The Supplier must comply with the Special Conditions (if any).

- B.4. Definitions:** Some terms are given special meanings in clause 2.38 of the *Commonwealth General Conditions of Contract*. Where a term is defined in the *Commonwealth General Conditions of Contract*, that term has the same meaning in each of the documents comprising this Contract, unless when read in context, it appears that a different meaning is intended.
- B.5.** Any reference to the Commonwealth in this document, the *Commonwealth General Conditions of Contract*, or the *Commonwealth General Conditions of Offer*, is to be read as a reference to the Authority.

Statement of Requirement

1.1 Term

The commencement date is [insert date] or when the Contract is signed by the second party whichever is the latter. The term of this Contract is until [insert date].

1.2 The Supplies

To be specified – see RFT.

1.3 Timing and delivery date(s)

Supplies are to be delivered as specified in the following table:

Deliverable	Date
Draft report submitted	24 April 2014
Final report submitted	6 June 2014

1.4 Delivery location and instructions

Delivery Address and Instructions for Supplies	See 1.9 Address for invoices
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1.5 Specified Personnel

The Specified Personnel are:

Name	Position	Role
[Insert name]	[Insert position]	[Insert role]
[Insert name]	[Insert position]	[Insert role]
[Insert name]	[Insert position]	[Insert role]

1.6 Contract Price and payment

The Contract Price is [insert] (including GST) which is payable in instalments by the Authority in accordance with the Contract, upon satisfactory completion by the Supplier (in the Authority's sole opinion) of the milestones as set out in the following table:

Instalment	Amount of Instalment (incl GST)	Milestone	Expected date for completion of milestone
	30% GST inclusive	Contract execution	17 January 2014
1	40% GST inclusive	Receipt of Draft report	24 April 2014
2	30% GST inclusive	Receipt of satisfactory final report	6 June 2014, subject to acceptance by FSANZ

1.7 Intellectual Property

All Intellectual Property Rights in the Supplies and the Material vest in the Authority.

To the extent that the Supplier needs to use any of the Supplies or Material for the purpose of performing its obligations under this Contract, the Authority grants to the Supplier, subject to any direction by the Authority, a world-wide, royalty-free, non-exclusive, non-transferable licence (including the right to sublicense) to use, reproduce, adapt, modify, distribute and communicate such Supplies or Material solely for the purpose of providing the Supplies.

1.8 Contract Managers and Addresses for Notices

The Authority's Contract Manager:

Name/position title: The person occupying the position of Senior Nutritionist, Risk Assessment, Chemical Safety & Nutrition Section, currently Dr Judy Cunningham.

Postal Address: PO Box 7186 Canberra BC ACT 2610

Telephone: +61 2 6271 2213

Mobile: **0412 109 523** Email Address: judy.cunningham@foodstandards.gov.au

The Supplier's Contract Manager:

Name/position title: The person occupying the position of [insert position title], currently [insert name].

Postal Address: [insert postal address including postcode]

Telephone: [insert telephone area code and telephone number]

Mobile: [insert mobile number]

Email Address: [insert email address]

Both Contract Managers will be responsible for the general liaison and accepting and issuing any written notices under this Contract.

1.9 Address for Invoices

Name/position title: The person occupying the position of Senior Nutritionist, Risk Assessment, Chemical Safety & Nutrition Section, currently Dr Judy Cunningham.

Postal Address: PO Box 7186 Canberra BC ACT 2610

Email Address: judy.cunningham@foodstandards.gov.au

1.10 Confidential Information

For the purposes of clause 2.22, the following information is confidential information:

Special Conditions of Contract

Signing Page

EXECUTED as an Agreement

Signed for and on behalf of the **Food Standards Australia New Zealand** by its duly authorised delegate in the presence of

Signature of witness



Signature of delegate



Name of witness (*print*)

Name of delegate (*print*)

Position of delegate (*print*)

ON: [*insert date*]

Drafting Note:

Where the Supplier is a company with multiple directors, select the execution block below. If the Supplier is a company with a sole director or an individual or a partnership, use the relevant execution block below. Delete all signature blocks that do not apply.

Executed by [*insert company name of Supplier*] ACN: [*insert Supplier's ACN*] in accordance with Section 127 of the Corporations Act 2001

Signature of director



Signature of director/company secretary
(Please delete as applicable)



Name of director (*print*)

Name of director/company secretary (*print*)

ON: [*insert date*]

ON: [*insert date*]

For a sole director company **[delete if not relevant]**

Executed by **[insert company name of Supplier]** ACN: **[insert Supplier's ACN]**
in accordance with Section 127 of the
Corporations Act 2001

Name of director/company secretary (*print*)



Signature of director/company secretary who state they are
the sole director/company secretary of **[insert company name
of supplier]**
(Please delete as applicable)

ON: **[insert date]**

For a individual or sole trader **[delete if not relevant]**

Executed by **[insert name of Supplier]** in
the presence of

Signature of witness



Signature of Supplier

Name of witness (*print*)

Name of Supplier (*print*)

ON: **[insert date]**

For a partnership **[delete if not relevant]**

Executed by **[insert name of Supplier]**
ABN: **[insert Suppliers ABN]**

in the presence of

Signature of witness

Signature of individual partner

Name of witness (*print*)

Name of individual partner (*print*)

ON: **[insert date]**

Annex 1 – Supplier’s Offer