

CONVENTIONAL CONTRACT SIGNIFICANT DIFFERENCES BETWEEN VERSIONS DATED 1 JULY 2012 AND VERSIONS DATED 1 JULY 2011

The most significant differences between the documents dated 1 July 2012 and those released July 2011 are outlined below. *This document does not represent a comprehensive list of every amendment incorporated in the versions dated 1 July 2012.*

CLAUSE / ITO REFERENCE TITLE	CLAUSE / ITEM NUMBER	DIFFERENCES BETWEEN VERSIONS
Conditions of Offer		
Prices Offered	16.1(b)	<ul style="list-style-type: none"> clause amended to specify that <i>Pricing</i> must indicate the 'GST exclusive, GST component and GST inclusive amount'
Commissions, Incentives, Conflict of Interest and Collusion	23	<ul style="list-style-type: none"> clause amended to include a reference (where applicable) to Response Form 6.5 'Declaration of Commissions and Incentives, Conflict of Interest and Collusion'
Complaint Management	31	<ul style="list-style-type: none"> new clause includes details regarding the complaint management process and details required when submitting a complaint regarding the Invitation Process to the Eligible Customer's Complaint Manager.
Invitation to Offer (template)		
ITO template		<ul style="list-style-type: none"> template divided into two documents: <ul style="list-style-type: none"> Sections 1 to 5 - requirements/details of the Invitation Process Section 6 Response Forms
Section 1 – Invitation to Offer Details	Item 12	<ul style="list-style-type: none"> new item 'Complaint Management' included
Section 6 – Response Forms	6.2 – Other Pricing Issues	<ul style="list-style-type: none"> references to 'Consumer Price Index' replaced with 'Australian Bureau of Statistics (ABS) Index'
Section 6 – Response Forms	6.4 – Schedule A	<ul style="list-style-type: none"> new item 27 'Complaint Management' included
Section 6 – Response Forms	6.4 – Schedule F	<ul style="list-style-type: none"> references to 'Consumer Price Index' replaced with 'Australian Bureau of Statistics (ABS) Index'

CLAUSE / ITO REFERENCE TITLE	CLAUSE / ITEM NUMBER	DIFFERENCES BETWEEN VERSIONS
Section 6 – Response Forms	6.5 – Declaration of Commission and Incentives, Conflict of Interest and Collusion	<ul style="list-style-type: none"> • response form title changed (previously '<i>Declaration of Interest and Possible Influences</i>') • response form amended to include a declaration regarding collusion, including the requirement to disclose: <ul style="list-style-type: none"> – any agreements Offeror's have with competitors – details of any previous or current proceedings relating to anti-competitive behaviour that the Offeror has been subject to
Section 6 – Response Forms	6.7 – Checklist	<ul style="list-style-type: none"> • new question regarding completion of Response Form 6.5 '<i>Declaration of Commissions and Incentives, Conflict of Interest and Collusion</i>' included in checklist
Conditions of Contract		
Definitions	1.1	<ul style="list-style-type: none"> • '<i>Order</i>' definition amended
Transferability/Portability of Goods and/or Services	4.2	<ul style="list-style-type: none"> • clause amended to include requirement for the Customer to provide <i>Notice</i> to the Contractor regarding transfer of the Contract to another legal entity as a result of a <i>Machinery of Government Change</i>
List of Goods and/or Services and Pricing	10.2 10.3(b)	<ul style="list-style-type: none"> • clause amended to include a reference to '<i>item 3 Approved Expenses</i>' in <i>Schedule A</i> • references to '<i>Consumer Price Index</i>' replaced with '<i>Australian Bureau of Statistics Index</i>'
Termination	31.5(d)	<ul style="list-style-type: none"> • clause amended to include a breach of clause 19 (<i>Confidentiality</i>) or clause 20 (<i>Privacy and Personal Information</i>) as triggers for immediate termination
Complaint Management	34.11	<ul style="list-style-type: none"> • new clause includes details regarding the complaint management process and details required when submitting a complaint regarding the Contract to the <i>Customer's Complaint Manager</i>