



# Contracts policy

## Section 1 - Preamble

(1) This Policy is effective from 23 May 2022.

## Section 2 - Purpose

(2) This Policy sets out the principles which apply to University Contracts.

## Section 3 - Scope

(3) This Policy applies to all University staff and to all Contracts entered into by the University.

## Section 4 - Policy

(4) University Contracts must:

- a. be in the best interests of the University;
- b. be compatible with the objects of the University in section 5 of the [Deakin University Act 2009 \(Vic\)](#);
- c. comply with all University statutes, regulations, policies and procedures;
- d. comply with all laws;
- e. be negotiated fairly and transparently; and
- f. be free from any [conflict of interest](#).

(5) The University may only enter into a Contract if it has been assessed that the University and the other party or parties to the Contract have the financial and non-financial resources required to perform the obligations under the Contract.

(6) The University must not undertake an obligation or risk involving another party unless a Contract governing that obligation or risk which complies with this Policy and the [Contracts procedure](#) has been signed by Deakin and the other party.

(7) University Contracts must be correctly valued and must not be structured to avoid the approvals required under the Contracts procedure.

(8) A breach of this Policy or the [Contracts procedure](#) may lead to internal disciplinary proceedings.

(9) Execution of a University Contract by a staff member without authority may result in that staff member being personally liable under the contract.

## Section 5 - Procedure

(10) The following procedures document how to comply with this Policy:

- a. [Contracts procedure](#)
- b. [Contractors and Consultants procedure.](#)

## Section 6 - Definitions

(11) For the purpose of this Policy:

- a. Contract: an agreement between the University and another party or parties. This includes purchase orders, heads of agreement, memoranda of understanding, letters of intent, tenders, strategic partnerships, variations and extensions to existing contracts.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	23rd May 2022
<b>Review Date</b>	1st June 2022
<b>Approval Authority</b>	University Council
<b>Approval Date</b>	2nd May 2022
<b>Expiry Date</b>	To Be Advised
<b>Responsible Executive</b>	Kerrie Parker Executive Vice-President Resources evpr@deakin.edu.au
<b>Implementation Officer</b>	Shirley Rooney General Counsel +61 3 52278560
<b>Enquiries Contact</b>	Office of General Counsel 61 3 5227 8524