1. **Why do we need this checklist?**

We use this checklist as our formal instructions and for our records. We have also learned from experience that gathering all this information early will allow us to help you more efficiently.

1. **Who should sign the checklist?**

The authorised officer with delegated authority to approve the transaction or activity must sign on the last page of the checklist in order for us to proceed. This may be the Head of Office, Executive Dean, Faculty General Manager or other authorised delegate. If you are unsure please check the Delegations Register.

1. **What if your matter is urgent?**

Matters are attended to in order of receipt.

If your matter is urgent, please specify the required date and explain the reason for the urgency, in the appropriate field in the “Matter details” section of the checklist.

1. **How much information do you need to give?**

Not every field on the checklist will be applicable to every matter.

If a question is not applicable to your particular matter please just write ‘N/A’.

1. **Who do you send this checklist to**

Email to [legalservices@mq.edu.au](mailto:legalservices@mq.edu.au) and the matter will be allocated to a lawyer. You will receive an acknowledgement from the lawyer acting as soon as practicable after the matter has been allocated.

|  |  |  |
| --- | --- | --- |
| **CONTACT DETAILS** | | |
|  | **Authorised delegate** | |
| Name |  |
| Position Title |  |
| Telephone |  |
| Email |  |
| Primary Contact  (the person we contact as the first port of call) | (If the authorised delegate will not be the OGC’s primary contact, please specify who will be our primary contact) |
|  | **Matter Administrator** (Person who will look after the administration of the matter – this person may be the same  as the primary contact) | |
| Name |  |
| Position Title |  |
| Telephone |  |
| Email |  |
|  | **External Party** (the other party or parties involved in this matter) | |
| Name\* |  |
| Contact person |  |
| Position Title |  |
| Email |  |
| Telephone |  |
| Post address to return signed contracts |  |
|  | Legal representative for External Party | Name:  Email:  Phone:  Postal Address: |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | **Secondary External Party** (the other party or parties involved in this matter eg finance or technical advisors) | | | | | | |
| Name |  | | | | | |
| Contact person |  | | | | | |
| Position Title |  | | | | | |
| Email |  | | | | | |
| Telephone |  | | | | | |
| Post address to return signed contracts |  | | | | | |
| **MATTER DETAILS** | | | | | | | | |
|  | | What sort of matter is this (primarily)? | | | Advice  Assignment agreement  Collaboration Agreement  Confidentiality Agreement  Consultancy Agreement  Dispute  Funding Agreement  IT Agreement (e.g. software licence/support/ maintenance)  Licence Agreement  Memorandum of Understanding | Services Agreement  Sponsorship Agreement  Student Placement Agreement  Student exchange agreement  Education agency agreement  Tender / EOI  Lease  Master agreement for goods and/or services  Other/not sure (please provide description) | | |
| When does the contract start and finish? | | | Start: | Finish: | | |
| Is this matter urgent? | | | Yes  No | | | |
| Why? | | |  | | | |
| What is this matter about?  (eg. Provide detailed background and current status, “Service provider to supply software to MU. Software will be used by MU to [ ] ”) | | |  | | | |
| Does this matter relate to any existing matter or contract?  If so, please provide details and copies. | | |  | | | |
| Have you made any verbal agreement with the External Party/ies about any aspect of the matter? (eg have you already agreed on commercial terms. Please outline briefly and attach copies of term sheets. | | |  | | | |
| Have you reviewed the contract? Do any terms stand out to you as putting too onerous an obligation onto the University? If so, please flag those terms. | | |  | | | |
| What do you want us to do for you? (eg. “review the contract provided by external party and advise if it is OK”) | | |  | | | |
|  | | Please supply a copy of any relevant documentation, including any draft contract | | | Yes (enclosed)  No (no documentation to date) | | | |
| **FINANCIAL** | | | | | | | | |
| 1. 7 | How much are we being paid under the contract  (excluding GST)? | | | |  | | | |
| How much are we paying under the contract  (excluding GST)? | | | |  | | | |
| 1. 9 | Is this part of a bigger project? | | | | Yes  No | | | |
| 1. 1 | Is there are a budget allocated for this project? | | | | Yes  No | | | |
| **TENDER** | | | | | | | | |
| 1. 8 | Does this matter require the University to go to tender? (information regarding tendering  can be found in the  [*Procurement Handbook*](https://wiki.mq.edu.au/login.action;jsessionid=2973041C2012854AAFA701ED5B150646?os_destination=%2Fdisplay%2Fprocurement%2FProcurement%2Band%2BContract%2BManagement).) | | | | Yes  No | | | |
| **CONFIDENTIALITY, INTELLECTUAL PROPERTY** | | | | | | | | |
|  | | Will the External Party be creating any intellectual property that the University will need to licence or own? (eg. software customisations? Reports on how to manage a business section or operate a system?)  If yes, please describe. | | Yes  No | | | | |
|  | | | | |
|  | | Will the External Party have access to the University’s confidential information? (eg. business plans) or personal information of staff and / or students? | | Yes  No | | | | |
| **RISK ASSESSMENT** | | | | | | | | |
|  | | Are there any risks involved? | | Yes  No | | | | |
| Please outline the main risks, and note which party is best able to manage them? | |  | | | | |
| 15. | | Please also respond to the questions below: | | | | | | |
| If the External Party terminates the contract, can you easily engage someone else to complete? | | Yes  No | | | | |
| If the External Party breaches the contract, would the University suffer severe damage or loss (monetary  or reputation)? | | Yes  No | | | | |
| Are the timeframes for the work tight? | | Yes  No | | | | |
| Is completion dependent on a sub-contractor? | | Yes  No | | | | |
| Have you encountered any problems with the External Party in the past? | | Yes  No | | | | |
| **FACILITIES, SERVICES AND INFRASTRUCTURE** | | | | | | | | |
|  | | Will the work be performed  at the University or somewhere else? | | University  Online  Somewhere else | | | | |
| **DECLARATION AND SIGNATURE** | | | | | | | | |
|  | | Declaration: *I declare that, to the best of my knowledge, the information supplied in this form and in supporting documents is correct and complete.* | | | | | | |
|  | | Name of authorised delegate |  | | | | | |
|  | | Signature required  (electronic signature is fine) |  | | | | Date |  |