

# Contract Management Policy

## Section 1 - Purpose

(1) This Policy (Contract Management Policy) describes the requirements for managing contracts and Memoranda of Understanding (MOUs) in order to minimise risks and maximise benefits.

### Background

(2) Macquarie University is committed to ensuring that:

- a. appropriately delegated officers execute contracts and MOUs;
- b. contracts and MOUs give due consideration to risks, benefits, any other relevant requirements and accountabilities;
- c. contracts are consistent with the University's [Procurement Policy](#);
- d. MOUs align with the University's strategic ambitions and plans; and
- e. certain information regarding contracts is published in compliance with the [Government Information \(Public Access\) Act 2009](#) (GIPAA).

### Scope

(3) This Policy covers contracts and MOUs for the supply of goods and services to the University.

(4) This Policy does not cover employment of staff, which is addressed separately under the Macquarie University [Enterprise Agreements](#) and Human Resources policies.

## Section 2 - Policy

(5) For contracts and MOUs which are entered into on behalf of the University, staff must:

- a. have the appropriate delegated authority as set out in the [Delegations of Authority Register](#);
- b. prepare MOUs which are consistent with the University's strategic requirements;
- c. minimise risks;
- d. maximise the benefits for the University;
- e. incorporate probity, accountability, efficiency and effectiveness;
- f. retain records of negotiation, agreement, review and compliance monitoring;
- g. prepare contracts which:
  - i. are consistent with the University's [Procurement Policy](#);
  - ii. comply with corporate governance structures;
  - iii. are made with suppliers whose previous contracts resulted in favourable outcomes for the University;
  - iv. are agreed and signed prior to the commencement of any work;
  - v. are monitored during the term of the contract; and

vi. are reviewed upon completion.

(6) Where there is the potential for an Intellectual Property issue, the contract must be referred to Deputy Vice-Chancellor (Research).

## Section 3 - Procedures

(7) Refer to the [Contract Management Procedure](#).

## Section 4 - Guidelines

(8) Nil.

## Section 5 - Definitions

(9) Commonly defined terms are located in the University [Glossary](#). The following definitions apply for the purpose of this Policy:

- a. Contract means an agreement between parties which has legal significance and involves the transfer of consideration - either financial or some other type of benefit. Contracts generally specify business relationships for the acquisition or supply of goods or services, exploitation of intellectual property rights or funding agreements.
- b. Memorandum of understanding (MOU) means an agreement which formalises the terms of a relationship, arrangement or understanding between the University and another party. It is not intended to be legally binding on either party. An MOU possesses moral force only and is generally a formal, mutual agreement setting out principles, strategies and mechanisms for dealing with the common issues of the relationship. It may lead to the development of a separate contract or contracts.
- c. Register of Contracts means the University's publicly available register of contracts required by the [Government Information \(Public Access\) Act 2009](#) (GIPAA) NSW.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	22nd February 2021
<b>Review Date</b>	22nd February 2023
<b>Approval Authority</b>	Vice-President, Finance and Resources
<b>Approval Date</b>	20th August 2010
<b>Expiry Date</b>	10th May 2022
<b>Responsible Executive</b>	Robin Payne Vice-President, Finance and Resources
<b>Responsible Officer</b>	Natalie Budovsky Chief Procurement Officer +61 2 0418 487 286
<b>Enquiries Contact</b>	Natalie Budovsky Chief Procurement Officer +61 2 0418 487 286