

Non-Research Services Agreement Process (where UNE is receiving funding to provide services to a third party)

STEP 1: Determine type of contract or agreement needed

- If the third party is seeking UNE services under a purchase order, fill out the UNE Purchase Order Checklist (available from UNE Procurement) to determine whether a purchase order can be used
- If the third party provides their own agreement, you will need to read through it to ensure that the details (services to be provided by UNE, contract price, timeframes, milestones etc) are appropriate then go to Step 2
- If UNE is providing services for a fee, it is likely you will need to use the UNE Template Consultancy Agreement which can be found on the UNE Legal Services webpage <https://www.une.edu.au/about-une/governance/legal-office>
- If UNE will be providing services as part of a collaboration with the third party (ie the third party is also contributing some parts of the required outcome), then it is likely you will need to use the UNE Template Non-Research Collaboration Agreement which can be found on the UNE Legal Services webpage
- Contact UNE Legal Services if you need assistance in determining which agreement to use, or need assistance in completing the agreement details legal@une.edu.au

STEP 2: Commercial Activity Rule

- If the services UNE is providing can be considered a Commercial Activity under section 3(5)(b) of the UNE Commercial Activity Rule <https://policies.une.edu.au/document/view-current.php?id=71> you must follow the process in the Rule
- If so, you will need to complete a business case for the project (available as a template in Word ◀ Kapish ◀ New from Templates ◀ Project Initiations ◀ Concept Brief Template) and have it approved by your Faculty or Director.

STEP 3: Overseas organisation?

- If the third party is an overseas organisation you will need to complete the Foreign Interference Checklist (available from Office of DVCR dvcr@une.edu.au) and return it to Office of DVCR

STEP 4: Submit documents to the Faculty or Business Area Manager

- When you have completed the details in the contract or agreement, fill out and submit the following documents to your Faculty office or business area manager:
 - Contract Approval Form (available on the UNE Legal Services website)
 - The completed agreement
 - Foreign Interference Checklist
 - Business case (if a commercial activity under the *UNE Commercial Activity Rule*)
- The Faculty office will arrange for the Dean's signature, or for operational areas the business manager will arrange for the Director's signature on the Contract Approval Form.

STEP 5: Submit documents to UNE Legal Services

- Put the documentation from Step 4 into UNE's Contract Management System (CMS) or if you do not have access to CMS, email the documentation together in 1 email to UNE Legal Services legal@une.edu.au
- UNE Legal Services will:
 - Put the agreement into UNE's Contract Management System (CMS) if received via email and UNE's record management system (TRIM)
 - Review the agreement and provide advice, which may include a requirement for rework of the agreement
 - If appropriate, approve the agreement for execution by UNE
 - Arrange for execution of the agreement by the third party and the relevant UNE delegate
 - Provide a copy of the fully executed agreement to you and the third party, and will notify UNE Finance

**STEP 6:
Post
execution**

- Finance will set up an account and advise you of the account number

**STEP 7:
Contract
management**

- You are responsible for managing the contract to its completion
- If the agreement needs to be varied or extended, contact UNE Legal Services for assistance. Agreements cannot be extended or varied by you. The relevant UNE delegate will need to approve any variation.