

Guide to a transition contract clause

Standard Clause for Health Services

The following clause has been developed to assist the health services to strengthen and clarify contractual requirements in relation to Health Purchasing Victoria. It is recommended that health services incorporate the clause in their contract templates and have their legal department or advisors review the final document.

The transition clause is to allow health services to transition from an existing health service agreement to an HPV contract when HPV establishes a collective or state-wide contract

Definition

Organisation means the entity entering into this Agreement as defined in (add the section reference which has the name of the health service or other contracting or legal entity).

Clause

If Health Purchasing Victoria enters into a contract in respect of Goods (or Services) which may apply to all Victorian public hospitals, denominational hospitals, private-operated hospitals and/or metropolitan health services (as listed in schedules 1, 2, 4 and 5 of the Health Services Act 1988 (“the State-wide contract”), then:

- a) the Organisation may give notice to the Contractor that it wishes to purchase the Goods (or Services) on the terms and conditions of the Health Purchasing Victoria contract from a future specified date; and
- b) this Agreement shall end on the date specified by the Organisation; and
- c) the Contractor shall have no claim against the Organisation or its agents, employees, officers or servants in respect of this Agreement ending or the Organisation exercising its rights under this clause.