

Guide to Transition Contract Clause

Standard Clauses for Health Services

The following clause has been developed to assist the health services to strengthen and clarify contractual requirements in relation to HealthShare 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 HSV contract when HSV establishes a collective or state-wide contract.

Definitions

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 HealthShare 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 (Vic)* ("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 HealthShare 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.

More information

Related documents and templates are available on the HSV website.

Disclaimer

The information presented in this document is general in nature and based on HealthShare Victoria's interpretation of the *Health Services Act 1988 (Vic)* and any ancillary legislation and regulations in effect at the time and should not be relied upon as legal advice. Please consider seeking professional and independent advice from your legal representative as to the applicability and suitability of this information and the legislation to your own business needs or circumstances.