# **DEFFORM 47 Annex B – Terms and Conditions Compliance Matrix**

 Tenderer to populate the ‘Compliant’ column within the Terms and Conditions Compliance Matrix below and upload this spreadsheet to DSP.

|  |  |  |
| --- | --- | --- |
|   | **General Conditions** | Compliant(Yes / No) |
| 1 | General |   |
| 2 | Duration of Contract |   |
| 3 | Entire Agreement |   |
| 4 | Governing Law |   |
| 5 | Precedence |   |
| 6 | Amendments to Contract |   |
| 7 | Variations to Specification |   |
| 8 | Authority Representatives |   |
| 9 | Severability |   |
| 10 | Waiver |   |
| 11 | Assignment of Contract |   |
| 12 | Third Party Rights |   |
| 13 | Transparency |   |
| 14 | Disclosure of Information |   |
| 15 | Publicity and Communications with the Media |   |
| 16 | Change of Control of Contractor |   |
| 17 | Environmental Requirements |   |
| 18 | Contractor’s Records |   |
| 19 | Notices |   |
| 20 | Progress Monitoring, Meetings and Reports |   |
|  | **Supply of Contractor Deliverables** | Compliant(Yes / No) |
| 21 | Supply of Contractor Deliverables and Quality Assurance |   |
| 22 | Marking of Contractor Deliverables |   |
| 23 | Packaging and Labelling (excluding Contractor Deliverables containing Munitions) |   |
| 24 | Supply of Data for Hazardous Materials or Substances in Contractor Deliverables |   |
| 25 | Timber and Wood-Derived Products |   |
| 26 | Certificate of Conformity |   |
| 27 | Access to Contractor’s Premises |   |
| 28 | Delivery / Collection |   |
| 29 | Acceptance |   |
| 30 | Rejection and Counterfeit Material |   |
| 31 | Diversion Orders |  |
| 32 | Self-to-Self Delivery |  |
|  | **Licences and Intellectual Property** | Compliant(Yes / No) |
| 33 | Import and Export Licences |   |
| 34 | Third Party Intellectual Property – Rights and Restrictions |  |
|  | **Pricing and Payment** | Compliant(Yes / No) |
| 35 | Contract Price |   |
| 36 | Payment and Recovery of Sums Due |  |
| 37 | Value Added Tax |  |
| 38 | Debt Factoring |  |
| 39 | Subcontracting and Prompt Payment |  |
|  | **Termination** | Compliant(Yes / No) |
| 40 | Dispute Resolution |   |
| 41 | Termination for Insolvency or Corrupt Gifts |  |
| 42 | Termination for Convenience |  |
| 43 | Material Breach |  |
| 44 | Consequences of Termination |  |
|  | **Project Specific DEFCONs and DEFCON SC variants that apply to this contract** | Compliant(Yes / No) |
| 45 | DEFCON 5J (Edn. 18/11/16) – Unique Identifiers  |  |
| 45 | DEFCON 014 (Edn Jun 21) – Inventions and Designs Crown Rights and Ownership of Patents and Registered Designs |  |
| 45 | DEFCON 117 (SC2) (Edn. Jul 21) – Supply Of Information For NATO Codification and Defence Inventory Introduction |   |
| 45 | DEFCON 532A (Edn. Apr 21) – Protection of Personal Data (Where personal data is not being processed on behalf of the Authority) |  |
| 45 | DEFCON 612 (Edn Jun 21) Loss of or Damage to the Articles |  |
| 45 | DEFCON 646 (Edn 10/98) Law and Jurisdiction |  |
| 45 | DEFCON 649 Vesting (Edn Dec 16) Vesting |  |
| 45 | DEFCON 658 (SC2) (Edn. Sep 21) – Cyber |  |
| 45 | DEFCON 660 (Edn. 12/15) – Official-Sensitive Security Requirements |  |
| 45 | DEFCON 670 (Edn 11/17) – Tax Compliance |  |
|  | DEFFORM 96 (Edn 02/16) |  |
| 45 | DEFFORM 177 (Edn 06/21) Design Rights And Patents (Sub-Contractors) Agreement |  |
|  | **IPR** | Compliant(Yes/N0) |
| 46 | IPR Schedule 11 |  |
|  | **Warranty** | Compliant(Yes / No) |
| 47 | Express Warranty |  |
|  | **SC2 Schedules**  | Compliant(Yes / No) |
|  | Schedule 1 – Definitions of Contract |  |
|  | Schedule 2 – Schedule of Requirements |  |
|  | Schedule 2 Annex A – Statement of Work |  |
|  | Schedule 2 Appendix 1 to Annex A – Key User Requirements |  |
|  | Schedule 2 Appendix 2 to Annex A – Supply of Manufacturing Data Pack within 120 Days  |  |
|  | Schedule 3 – Contract Data Sheet  |  |
|  | Schedule 3 Annex A – DEFFORM 111 |  |
|  | Schedule 4 – Contract Change Control Procedure (i.a.w. clause 6b) |  |
|  | Schedule 5 – Contractor’s Commercial Sensitive Information Form |  |
|  | Schedule 6 – Hazardous Contractor Deliverables, Materials or Substances Statement for Contract 701550484 |  |
|  | Schedule 7 – Timber and Wood-Derived Products – Data Requirements for Contract 701550484 |  |
|  | Schedule 8 – Acceptance Procedure |  |
|  | Schedule 9 – Price List for additional purchases | N/A |
|  | Schedule 10 – Security Aspects Letter |  |
|  | Schedule 11 – IPR |  |
|  | Schedule 11 – Appendix 1  |  |
|  | Schedule 11 – Appendix 2 |  |
|  | Schedule 12 – The Limit of Contractor’s Liability |  |