

STANDARDS AUSTRALIA

Amendment No. 1
to
AS 4122—2010
General conditions of contract for consultants

CORRECTION

The 2010 edition of AS 4122 is amended as follows; the amendment(s) should be inserted in the appropriate place(s).

SUMMARY: This Amendment applies to Clauses 1.1, 1.5 (new), 5.4, 8.2, 10.4, 10.9, 10.10, 21.4, 22.2, 23.2, 23.4, 24.5, 26.2, 27.1, 27.2, 27.3, 27.4, 28.1, 28.2, 29.2, 30.5, 30.6, 31, 32.3, 32.4, 34, 36, Execution, and Parts A and C.

Published on 26 August 2011.

AMDT
No. 1
AUG
2011

Clause 1.1

- 1 First line, *replace* ‘Contract’ with ‘Contract’.
- 2 Definition of Contract, *replace* ‘these’ with ‘the’.

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Clause 1.5 (new)

Insert new Clause 1.5, as follows:

- 1.5 Headings and guidance notes are provided for information or convenience and do not form part of this *Contract*.

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Clause 5.4

Replace the words ‘Fee or time’ with ‘Fee and/or time’.

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Clause 8.2

Replace the words ‘the *Contract*’ with ‘this *Contract*’.

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Clause 10.4(b)

Replace Items (b) and (c) with the following [the word ‘and’ moved to a separate line and aligned with (b)]:

- (b) in respect of disbursements:
 - (i) identify each disbursement claimed;
 - (ii) state the amount of the disbursement claimed;
 - (iii) be accompanied by relevant invoices and receipts for payment;

and

- (c) be in the form of a valid tax invoice.

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Clause 10.9

Third line, *replace* the words ‘on overdue payments’ with ‘on any overdue payments’.

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Clause 10.10

Replace the words ‘Nothing in this clause’ with ‘Nothing in this clause 10’.

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Clause 21.4

- 1 Second line, *replace* the words ‘the *Contract*’ with ‘this *Contract*’.
 - 2 Fourth line, *replace* the words ‘the *Contract*’ with ‘this *Contract*’.
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Clause 22.2

Replace clause text with the following:

The *Consultant* has or must obtain a consent from each of its officers and employees and use its best endeavours to obtain such consent from its agents, subconsultants and subcontractors (and their respective employees) in connection with the *Services* in substantially the same form as the consent set out in Annexure Part C, or such other form as is acceptable to the *Client*.

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Clause 23.2

Replace the word ‘confidence’ with ‘confidentiality’.

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Clause 23.4

Replace clause text with the following:

The *Consultant* must ensure that its officers, employees, agents, subconsultants and subcontractors comply with the *Consultant*’s obligations under this clause 23.

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Clause 24.5

Replace the word ‘clause’ with ‘clause 24’.

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Clause 26.2

- 1 Item (b), second line, *replace* the words ‘the *Contract*’ with ‘this *Contract*’.
 - 2 Last paragraph, *replace* the word ‘clause’ with ‘clause 26’.
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Clause 27.1

- 1 Item (a), *replace* the word ‘clause’ with ‘clause 27’.
 - 2 Item (c), *replace* the word ‘clause’ with ‘clause 27’.
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Clause 27.2

- 1 Item (b), *delete* ‘and’.
 - 2 Item (c), *replace* ‘.’ with ‘; and’.
 - 3 *Add* Item (d) (new).
(d) failure of the *Client* to pay the *Consultant* under clause 10.
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