

# Eliminating modern slavery toolkit

## Tool 2: Sample contract clauses

### How to use this tool

The [General Goods and Services Category](#) now have standard terms and conditions which have been updated to include references to *Modern Slavery Act 2018* (Cth) obligations and other ethical procurement considerations (such as the Supplier Code of Conduct and *Human Rights Act 2019*).

Similar to the standard terms now included in the General Goods and Services Category suite of procurement documents, this Tool outlines sample clauses below with specific wording referencing modern slavery (as reviewed by Crown Law) that can be inserted into agency templates and contract terms and conditions.

### Basic Purchasing Conditions (designed for low value, low risk contracts)

Clauses:

#### 4. Requirements

- (e) The Supplier must comply with all Laws including but not limited to the *Disability Discrimination Act 1992* (Cth), *Modern Slavery Act 2018* (Cth), (where applicable to the Supplier) and the *Human Rights Act 2019* (Qld) (where applicable to the Supplier).

#### 5.5 Modern Slavery

The Supplier warrants that the Supplier and, to the best of its knowledge and belief having made reasonable enquiries, its supply chain have not been convicted of any offence involving modern slavery.

The Supplier must immediately notify the Customer if it becomes aware of any actual, potential or perceived modern slavery in its operation or its supply chain.

The Supplier warrants that it and its supply chain will conduct their business in a manner so as to reduce the risk of modern slavery in their operations and supply chains.

### General Contract Conditions (designed for moderate to high risk and or value)

Clauses:

#### 5. Supplier Obligations

- (m) (**Laws**) must comply with all Laws and ensure that the Deliverables and use of them by the Customer as contemplated in the Contract will comply with all Laws including but not limited to the *Disability Discrimination Act 1992* (Cth), the *Modern Slavery Act 2018* (Cth) (where applicable to the Supplier) and the *Human Rights Act 2019* (Qld) (where applicable to the supplier);
- (x) (**modern slavery**) must not, and must take reasonable steps to ensure that its supply chain does not, undertake acts which could constitute an offence involving modern slavery;
- (y) (**modern slavery due diligence**)-must implement due diligence procedures for its supply chain to ensure compliance with the *Modern Slavery Act 2018* (Cth), where that Act applies to the Supplier;



## 18 Warranties

### 18.5 Modern Slavery

The Supplier warrants that neither the Supplier or, to the best of its knowledge and belief having made reasonable enquiries, its supply chain has been convicted of any offence involving modern slavery.

The Supplier must immediately notify the Customer if it becomes aware of any actual, potential or perceived modern slavery in its operation or its supply chain.

The Supplier warrants that it and its supply chain will conduct their business in a manner so as to reduce the risk of modern slavery in their operations and supply chains.

## Comprehensive Contract Conditions (designed for moderate to high value and or risk)

Clauses:

### 5. Supplier Obligations

- (m) (**Laws**) must comply with all Laws and ensure that the Deliverables and use of them by the Customer as contemplated in the Contract will comply with all Laws including but not limited to the *Disability Discrimination Act 1992* (Cth), the *Modern Slavery Act 2018* (Cth) (where applicable to the Supplier) and the *Human Rights Act 2019* (Qld) (where applicable to the Supplier);
- (s) (**modern slavery**) must not, and must take reasonable steps to ensure that its supply chain does not, undertake acts which could constitute an offence involving modern slavery;
- (t) (**modern slavery due diligence**) must implement due diligence procedures for its supply chain to ensure compliance with the *Modern Slavery Act 2018* (Cth), where that Act applies to the Supplier;

## 19 Warranties

### 19.5 Modern Slavery

The Supplier warrants that the Supplier and, to the best of its knowledge and belief having made reasonable enquiries, its supply chain have not been convicted of any offence involving modern slavery.

The Supplier must immediately notify the Customer if it becomes aware of any actual, potential or perceived modern slavery in its operation or its supply chain.

The Supplier warrants that it and its supply chain will conduct their business in a manner so as to reduce the risk of modern slavery in their operations and supply chains.

## SOA Conditions (designed for the establishment of panels)

Clauses:

### 9. Supplier Obligations

- (i) (**Laws**) must comply with all Laws including but not limited to the *Disability Discrimination Act 1992* (Cth), the *Modern Slavery Act 2018* (Cth) (where applicable to the Supplier) and the *Human Rights Act 2019* (Qld) (where applicable to the Supplier);
- (o) (**modern slavery**) must not, and must take reasonable steps to ensure that its supply chain does not, undertake acts which could constitute an offence involving modern slavery;

- (p) (**modern slavery due diligence**) must implement due diligence procedures for its supply chain to ensure compliance with the *Modern Slavery Act 2018* (Cth) where that Act applies to the Supplier;

## 20 Warranties

### 20.5 Modern Slavery

The Supplier warrants that the Supplier and, to the best of its knowledge and belief having made reasonable enquiries, its supply chain, have not been convicted of any offence involving modern slavery.

The Supplier must immediately notify the Principal if it becomes aware of any actual, potential or perceived modern slavery in its operations or its supply chain.

The Supplier warrants that it and its supply chain will conduct their business in a manner so as to reduce the risk of modern slavery in their operations and supply chains.

## 22. Subcontracting

- (c) If the Principal agrees that the Supplier may subcontract its obligations under the SOA, the Supplier must implement an appropriate system of due diligence, designed to ensure the subcontractor takes reasonable steps to reduce the risk of modern slavery in the subcontractor's supply chains and in any part of the subcontractor's business. The Supplier must also take reasonable steps to ensure that the subcontractor complies with the Ethical Supplier Threshold.