

# **GUIDELINES FOR DEVELOPING VARIATION OF AGREEMENTS RELATING TO COOPERATIVE ARRANGEMENTS BETWEEN THE UNIVERSITY AND TAFE-SA**

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This Agreement for Variation is made on the \_\_\_\_\_ day of \_\_\_\_\_

**Between THE MINISTER FOR EMPLOYMENT, TRAINING AND FURTHER EDUCATION (“the Minister”)**

**AND THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA, (“the University”)**

## **Recitals:**

- A: The Parties entered into the agreement dated [Insert commencement date of principal agreement] (the “Principal Agreement”).
- B: Clause X of the Principal Agreement states that no variation of this Agreement is binding unless agreed in writing between the parties.
- C: The parties now wish to vary the Principal Agreement.

The Principal Agreement is varied and this Agreement for Variation witnesses as follows:

1. Indicate any new clauses that are to be added to the Principal Agreement, including schedules (stipulating the date upon which the variation is to come into effect – “the Variation Date”).
2. Describe any changes to any existing clauses in the Principal Agreement, including schedules.
3. In the case of financial variations, indicate the contract price in the Principal Agreement to be deleted and indicate the new contract price that will take effect on the Variation Date.
4. An acknowledgment should be included which provides that each party is still liable to the other for any claims which arise from the Principal Agreement prior to the Variation Date.
5. Include a statement to the effect that:

**In all other respects, the terms of Principal Agreement signed by the parties [insert commencement date of Principal Agreement] shall remain the same.**

**EXECUTED AS AN AGREEMENT**

**SIGNED** for and on behalf of the **MINISTER FOR)**  
**EMPLOYMENT, TRAINING AND FURTHER )**  
**EDUCATION )**

by..... ) (Signature of Authorised Officer)  
[Insert name]

[Insert Position]

duly authorised in that regard in the presence of: )

..... (Signature of Witness)

Witness

[Print Name: ]

..... (Date)

**SIGNED** for and on behalf of  
**THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA**

.....) (Signature of Authorised Officer)

[Insert Name]

[Insert position]

duly authorised in this regard in the presence of:

..... (Signature of Witness)

Witness

[Print Name: ]

..... (Date)

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**Please note** that an Agreement for Variation does not come into effect until authorised officers from both parties duly sign it. An Agreement for Variation between the University and the Minister must be signed by officers with appropriate authority to do so.

RH:rh 25/6/04