

## **TENDERS**

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Anyone involved in submitting tenders for funding or outside work of any kind needs to be aware of potential legal traps.

It is strictly illegal to make any arrangements with a competitor (which might be another organisation or educational institution thinking of submitting a tender) about prices; about whether or not you will submit a tender; or about dividing the tender up in any way. Under new amendments to the Trade Practices Act, bid rigging and collusive tendering are forms of cartel conduct, which can attract criminal penalties (including jail terms of up to 10 years for persons involved in this conduct).

If you have close ties to colleagues working in similar fields outside the University, it might be easy to accidentally breach the law in these situations. Legal Services recommends that staff do not discuss tender arrangements at all with anyone outside the University unless there is a genuine joint tender, consortium or collaboration which has been reviewed by Research Services and Legal Services.

Research Services provides advice on related issues such as setting up appropriate structures, costing and budgeting, and contract negotiations. When you have decided to submit a tender, send the request for tender and/or project brief to Research Services so they can advise you before you prepare your bid.

Please contact Legal Services on Extn 2495 or Peter Janssen of Research Services on Extn: 1973 for further advice.