

**INSTRUCTIONS TO E C LEGAL
for
REVISION OR PREPARATION OF CUSTOMER TRADING TERMS**

ABOUT THE E C LEGAL SERVICE

E C Legal provides a service which involves:

- reviewing our client's needs i.e. the nature of the client's business and the relationships with their customers;
- providing a tailor made solution to enable our client to control the entire relationship with the client's customer including a suite of documents for use within our client's business.

The documents that we may provide include:

Credit Account Application

Sets out the information needed to open a credit account with our client and provides the basis of the trading agreement between our client and their customer.

Trading Terms and Conditions

Designed to be used in conjunction with the Credit Account Application.

It has a comprehensive the set of trading terms designed to protect our client's interests

Personal Guarantee

Provides for a personal guarantee to secure the performance of the trading agreement by the customer.

Credit Acceptance Procedures

Sets out a policy for our client's staff members to follow when considering whether or not to grant credit to a prospective customer.

Quotation

Sets out a format for our client to provide a quotation to its customer.

Variation of Quotation

Sets out a format for our client to provide a variation of quotation to its customer once a job has commenced.

General Security Agreement

Provides a general form of company or personal charge able to be registered on the Personal Property Securities Register.

The process involves:

1. review of the client's needs by E C Legal staff member i.e. the nature of the client's business and the relationships with their customers. Please enter the details below and provide to us;
2. preparation of draft documents as follows:
 - a. Account Application
 - b. Trading Terms and Conditions
 - c. Personal Guarantee
3. after provision of the above documents to the client for comment, there will be discussion with E C Legal lawyer on the contents of the draft documents and any necessary revisions of draft documents by E C Legal following discussions. This may take a couple of sessions (of up to 60 minutes by phone) to have the documents tailored to the client's requirements;
4. provision of final form of documents in word. The client can then format the documents to the client's requirements including adding client logo's, changing typeface, adding colour etc.

The cost of the above work is a fixed price of \$2,200 inclusive of GST.

5. If required, we can also provide:
 - a. Formatting of documents to your requirements. You will need to send us JPEG files of your client logos and any other colour schemes;
 - b. Credit Acceptance Procedure
This document sets out the recommended steps before you start providing credit to your customer. It is based on our decades of experience in fixing the problems that arise when accounts aren't paid;
 - c. General Security Agreements
These documents are designed to provide extra security for you in the event that your accounts aren't paid
 - d. Quotations and Variations of Quotations
 - e. Further advice about how to put your business in the best position to get paid for work done or goods supplied

The cost of the work in paragraph 5 above is done on an hourly rate and would generally be less than \$1000 plus GST

Some important points to note:

- there is always a trade off between having a clear and unambiguous trading arrangement with terms in our client's favour and the commercial reality of attracting and retaining customers. If our client's business is too hard to deal with, our client's customers may choose to deal with someone else. The documents provided will be

written by a practicing commercial lawyer and are designed to operate in our client's favour. Every time that text is removed, our clients may lose some sort of benefit;

- the standard documents are copyright to E C Legal and are provided for your use only. You cannot allow any other businesses to use them;
- E C Legal warrants that if the trading terms and other documents prepared by E C Legal are used in accordance with the directions provided, a legally binding agreement will result between you and your debtor. In the event that there is a finding by a competent court or tribunal that you have no binding agreement with your debtor then E C Legal may be liable for any losses suffered as a result.

YOUR BUSINESS DETAILS

COMPANY / BUSINESS NAME: _____

ABN: _____ ACN (if applicable): _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____

EMAIL: _____

CONTACT NAME: _____

CONTACT DIRECT TELEPHONE: _____

CONTACT EMAIL: _____

NATURE OF CLIENT BUSINESS

Circle: Services Only / Goods Only / Goods and Services

Description: _____

PRICING

Description: _____

Is pricing fixed at time of order? Yes / No If yes, for how long _____

Is deposit required? Yes / No If yes, how much _____

DELIVERY ARRANGEMENTS

Is delivery a separate charge? Yes / No

How is cost calculated?

Description: _____

PAYMENT TERMS

Circle: COD / 7 days / 30 days / Other _____

Accept payment by:	Credit Card	Yes / No	If yes, additional charge of _____%
	Cash	Yes / No	
	Cheque	Yes / No	
	EFT	Yes / No	

If yes, bank names: _____

BSB _____

Account No: _____

Reference: _____

Description: _____

DEFAULT ON PAYMENT

Overdue interest? Yes / No Rate of overdue interest _____

Admin Fees? Yes / No Limit? _____

RISK ON SOLD GOODS

OWNERSHIP OF SOLD GOODS

RETURN OF GOODS ARRANGEMENTS

Description: _____

SPECIAL TERMS

Description: _____

Businesses with Special Requirements

If your business is has any of the following characteristics, please advise:

- | | |
|--|----------|
| Dealing in second-hand goods | Yes / No |
| Goods or services with patents, licences or special conditions | Yes / No |
| Building or construction | Yes / No |
| Hire of goods or provision of goods that must be returned | Yes / No |
| Any transaction involving loan of money | Yes / No |

If yes to any of the above, please give additional details below;

Details: _____
