



GovNext-ICT – Can I terminate a GovNext order?

This information relates to all GovNext Orders, except those that contain a requirement for Network Equipment.

Information about terminating an Order for Network Equipment is available in ‘What can I do with my GovNext order for Network Equipment if my agency is moving buildings’.

There are three scenarios by which an Order can be terminated under the Contract:

1. Termination for cause (clause 45.1), used where contract breaches occur or the Contractor or their consortia fail to perform.
2. Termination for convenience (clause 45.2), used where a Customer moves sites or no longer requires the contracted services.
3. Termination by the Contractor (clause 45.3), used where the Customer commits a material breach of any order.

For the purpose of this document, the following describes the process for terminating an Order for convenience (and the Order does not contain Network Equipment). If you believe you are entitled to terminate for cause (where the vendor is not performing) or the vendor wishes to terminate, please seek legal advice before proceeding.

Terminating a GovNext Order

The GovNext contract allows you to terminate your Order, subject to certain requirements.

Firstly, you must issue a notice of your intent to the vendor.

Then, if the Order does not have an expiry date, the order will terminate immediately upon notice.

If the Order does have an expiry date and the Order Midpoint has:

- passed, then the Order will terminate one month after the date of your notice; or
- not passed, then the Order will terminate at the Order Midpoint.¹

The Order Midpoint is the date halfway between the Order commencement date and the Order expiry date, and excludes any disengagement period.

The flow chart on the following page illustrates the process.

¹ Where notice is given within one month prior to the Order Midpoint, then the Order will not terminate until after that Order Midpoint – that is, the Order will terminate one month after the notification.

Flowchart: Terminating Orders for convenience (Clause 45.2)

