

Rental Agreement (Hardware and Software)

TABLE OF CONTENTS

PARTIES: 4

PREAMBLE: 4

1. DEFINITIONS AND INTERPRETATION 4

2. PRODUCTS AND SERVICES TO BE PROVIDED 7

3. PREPARATION OF INSTALLATION SITE 7

4. DELIVERY, INSTALLATION AND ACCEPTANCE TESTING 8

5. PAYMENT TERMS AND CONDITIONS 8

6. CUSTOMER’S OBLIGATIONS 9

7. WARRANTIES 10

8. PROPRIETARY RIGHTS 10

9. INTELLECTUAL PROPERTY RIGHTS CLAIMS 11

10. INDEMNITY FOR INJURIES OR DEATH 13

11. LIMITATION OF LIABILITY 13

12. NO WARRANTIES EXCEPT THOSE REQUIRED BY LAW 14

13. TERMINATION 14

14. NOTICES 16

15. ASSIGNMENT 17

16. WAIVER 17

17. UNENFORCEABILITY 17

18. ENTIRE AGREEMENT 17

19. AMENDMENT 17

20. FORCE MAJEURE 18

21. NO MERGER 18

22. NO AGENCY OR PARTNERSHIP 18

23. FURTHER ASSURANCES 18

24. COUNTERPARTS 18

25. GOVERNING LAW 18

26. CONFIDENTIALITY 19

27. SPECIAL CONDITIONS..... 19
EXECUTED AS AN AGREEMENT..... 20
SCHEDULE..... 21

RENTAL AGREEMENT (HARDWARE AND SOFTWARE)

THIS AGREEMENT is made on the date specified in the Schedule

PARTIES:

1. The party identified in the Schedule and hereinafter referred to as **“the Supplier”**
2. The party identified in the Schedule and hereinafter referred to as **“the Customer”**

PREAMBLE:

- A. The Customer has requested the Supplier to rent to it the Products described in this Agreement.
- B. The Supplier has agreed to rent to the Customer the said Products at the fees and for the period set out in this Agreement subject to the terms and conditions set out below.

IT IS AGREED AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

- 1.1 In this Agreement the following definitions apply unless the context otherwise requires:

“Agreement” includes the preamble and the schedules and any annexure to this document and any matter incorporated by cross-reference.

“Acceptance Date” means the date of the notice issued pursuant to Clause 4.2 or the Go Live Date (whichever is earlier).

“Acceptance Tests” means the standard Supplier performance tests for the Products or such other acceptance testing criteria as may be specified in the Schedule.

“CPU” means the central processing unit identified in the Schedule.

“Go Live Date” means the date when the Customer commences using the Products to process, transmit or carry data in the ordinary course of its