

CUSTOMER CONTRACT REQUIREMENTS
HPAC
CUSTOMER CONTRACT SBA/BOEING/00/8230/HAR/HPAC/TK 001

CUSTOMER CONTRACT REQUIREMENTS

The following customer contract requirements apply to this contract to the extent indicated below.

1. DEFCONs The following contract clauses are incorporated by reference from the United Kingdom (UK) Defence Contract Conditions (DEFCONs) which may be accessed on the UK Ministry of Defence (MOD) web site and apply to the extent indicated. In all of the following clauses, "Contractor" and "Offeror" mean Seller.

520 Corrupt Gifts and Payments of Commission (OCT 2004).

608 Access and Facilities to be Provided by the Contractor (OCT 1998).

611 Issued Property (OCT 2004).

2. Prime Contract Special Provisions The following prime contract special provisions apply to this purchase order

see below Additional DEFCONS . DEFCON 637 08/99 Defect Investigation and Liability

DEFCON 648A 07/04 Availability of Information

DEFCON 684 01/04 Limitation upon claims in respect of Aviation Products

DEFCON 694 06/06 Accounting for the Property of the Authority

51 MATTERS TO BE INCLUDED IN SUB-CONTRACTS

51.1 The Contractor shall ensure that all Sub-Contracts shall at all times include:

- (a) provisions that the Purchaser's rights referred to in this General Condition 51, which are otherwise enforceable under the Contracts (Rights of Third Parties) Act 1999, are not rendered unenforceable; and
- (b) a requirement that either party to the Sub-Contract may release to the Purchaser any of those parts of the Sub-Contract as are necessary to be sufficient to demonstrate compliance with the provisions of this General Condition and that any such release shall not amount to a breach of any provision of confidentiality contained within the Sub-Contract.

51.2 The Contractor shall ensure that all Sub-Contracts, the value of which is [\$500,000 (five

hundred thousand dollars)] or over, include the power to determine the Sub-Contract by flowdown of appropriate termination provisions in accordance with the terms which apply to any termination of this Business Agreement.

- 51.3 The Contractor shall ensure (and shall ensure that all Sub-Contractors ensure) that all Sub-Contracts include a requirement for any further Sub-Contracts of lower tiers to contain provisions capable of giving effect to all of the provisions outlined in paragraph 51.2 above.

The Supplier shall provide all necessary information and comply with all Authority regulations when accessing Authority premises.