

COMPILATION OF PPP TERMS AND CONDITIONS OF CONTRACT

PUBLIC SECTOR VERSION

CLAUSE 59: WAIVER

DBFOM CONTRACT

CONCESSION CONTRACT

DBFM CONTRACT

DBF CONTRACT

DBOM CONTRACT

DBM CONTRACT

OMF CONTRACT

O&M CONTRACT

INTRODUCTION

This deals with the consequences of a party waiving its rights.

CORE CONTRACT DRAFTING

59. WAIVER

- 59.1** No term or provision of this Agreement shall be considered as waived by any party to this Agreement unless a waiver is given in writing to that party.
- 59.2** No waiver under Clause 59.1 shall be a waiver of a past or future default or breach, nor shall it amend, delete or add to the terms, conditions or provisions of this Agreement unless (and only to the extent) expressly stated in that waiver.

CROSS REFERENCES

This clause is referred to in the following clause of the Compendium:

- Clause 3 (Effectiveness of this Agreement)

There are no references to this clause in the Risk Matrix.