



MILK SUPPLY
AGREEMENT

theMilk
Guys

AGREEMENT Date:

BETWEEN The Milk Guys
ABN 64 169 800 364
26 Tuscan Court
Thomastown VIC
Australia 3074

AND THE PARTY SPECIFIED IN ITEM 1 OF SCHEDULE 1 (Customer)

MILK SUPPLY AGREEMENT

- 1. (Exclusive Supply) - The Customer agrees to purchase all of its requirements for milk products (and any other products specified in Item 2 of Schedule 1) from The Milk Guys or its nominated distributor(s).
- 2. (Term) - The term of this agreement shall be for the period specified in Item 3 of Schedule 1 and shall commence on the date specified in Item 4 of Schedule 1. The Milk Guys may at its option extend this agreement for the further period specified at Item 4 of Schedule 1 by giving written notice to the Customer prior to the expiration of the initial term.
- 3. (Price) - The prices payable by the Customer for products supplied by The Milk Guys are initially as specified at Item 1 of Schedule 2. The prices may be amended by The Milk Guys from time to time. The Customer must pay to The Milk Guys forthwith on request any Goods and Services Tax and Government levies payable in respect of the supply of goods or services under this agreement.
- 4. (Supply Terms and Conditions) - The Customer acknowledges and agrees that products will be supplied by The Milk Guys in accordance with its standard terms and conditions of supply. These may be amended by The Milk Guys from time to time. The Customer agrees to be bound by the terms and conditions of supply.
- 5. (Credit) - The Customer agrees to comply with any credit terms offered to it by The Milk Guys from time to time. As specified in Item 3 of Schedule 2.
- 6. (Benefits) - Any benefits or discounts applicable to this agreement are as specified at Item 2 of Schedule 2. Benefits or discounts may be amended by The Milk Guys from time to time upon giving written notice to the Customer.

Note: if the business is sold during the term of this agreement The Milk Guys reserves the right to charge back for any benefits received on a pro rata basis .

- 7. (Termination) - The Customer acknowledges and agrees that any breach by the Customer of this agreement shall entitle The Milk Guys to terminate this agreement forthwith and forfeit any benefits or entitlements which the Customer may have otherwise accrued in respect of rebates, discounts or other benefits. If The Milk Guys exercises its right to terminate this agreement prior to the expiration of the term, without prejudice to any other rights The Milk Guys may have, the Customer shall be required to pay The Milk Guys for any products supplied by The Milk Guys to the Customer without charge during the term. The amount payable by the Customer in respect of such "free supplies" shall be discounted by an amount equal to the proportion of the term expired at the time The Milk Guys elects to terminate the agreement. For example, if The Milk Guys elects to terminate the agreement after only 30% of the term has expired, the Customer must pay to The Milk Guys the full price of any "free supplies" subject to a discount of 30%.
- 8. (Assignment) - The Milk Guys may assign or novate this agreement to a third party without requiring the consent of the Customer. The Customer may not assign its rights or obligations under this agreement without the consent of The Milk Guys.
- 9. (Agreement Paramount) - In the event of any inconsistency between this agreement and The Milk Guys standard terms and conditions, this agreement shall prevail.

Executed as an agreement.

Signed for and on behalf of the Customer by its duly authorised representative:

Witness:

Customer Signatory:

Name of Witness (print):

Customer Signatory (print):

Signed for and on behalf of The Milk Guys by its duly authorised representative:

Witness:

Customer Signatory:

Name of Witness (print):

Customer Signatory (print):

SCHEDULE 1

Item 1.

Customer Name:

Address:

Suburb:

Postcode:

Telephone:

Facsimile:

Item 2.

Term of Agreement: Years:

Item 3.

Commencement Date:

Item 4.

Further Term: Years:

SCHEDULE 2

Item 1.

Initial Prices:

Item 2.

Other Benefits:

Item 3.

Credit Terms: Days from invoice statement date:

Item 4.

Special Comments:

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SCHEDULE 3

Terms and Conditions: The Customer acknowledges and agrees that in the case of the business being sold or closed prior to the expiration of the total contract term, The Milk Guys reserves the right to invoice the Customer for any fees supplies received during that period, on a pro-rata basis.

Package offered:

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Date: Date:

The Milk Guys: The Customer:



The Milk Guys
ABN 64 169 800 364

1300MILKGUYS

26 Tuscan Court Thomastown VIC 3074

f. [03] 9462 2503 e. orders@themilkguys.com.au
w. themilkguys.com.au