

Advice Guides

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SOFTWARE SUPPORT AGREEMENT

It is the inconsistency of computers that requires a user of software to be able to seek help from someone when things go wrong – as they inevitably will.

Software Support Agreements contain terms and conditions such as:

- > the duration of the support services, usually renewable annually
- > a description of the services being provided eg helpline, on-site, via modem etc
- > response time guarantees
- > procedures to be followed and sometimes description of response centre operations
- > the identity of persons entitled to access and/or order support services
- > fees – lump sum for basic cover and extra charges for extra work
- > exclusions from support services
- > access to carry out support services
- > warranties in respect of support services including consequential loss exclusion
- > updates and new releases

Very often these support obligations will be part of the original Software Licence Agreement. But whether you are the provider of the support or the receiver it is vital that everyone understand and properly document the agreement in order to avoid misunderstandings that could potentially be very costly if they occur at a time when there is a great need to have the software working effectively.