

## **APPENDIX III TO TENDER FILE, 4757/2021/34**

### **MODEL ACT OF ACCEPTANCE FOR IT SERVICES DELIVERED PURSUANT TO CONTRACT BETWEEN THE COUNCIL OF EUROPE (the Council) AND the Secretariat of the Ukrainian Parliament's Commissioner for Human Rights (the Recipient) AND XXX (the Provider or Supplier)**

This Act of Acceptance is drafted and signed pursuant to the terms of the 4757/2021/34 ("the contract"). The terms and conditions laid down by that contract shall govern the interpretation and effect of this Act of Acceptance, and those terms and conditions shall take precedence over any terms contained herein. Signature of this document shall in no way be considered to waive, alter or otherwise affect the terms of the original contract, or the rights and obligations of the parties thereto, except insofar as this document is a record of the performance of that contract.

The signatories hereby declare the following, subject to the signature of this document by all parties, and having effect as from the signature of the last of the parties to do so:

- That the deliverables described below have been delivered in accordance to the conditions laid down in the Contract;
- That the signatories have had sufficient opportunity to inspect the deliverables described below;
- That the deliverables conform to the standards and requirements described in the Business and Technical Requirements of the Tender 4757/2021/32 (Appendix I), subject to any comments made in this form;
- That the Council of Europe or its representative accepts delivery of the deliverables described;
- That the Recipient or its representative accepts delivery of the deliverables described;
- That risk concerning the deliverables hereby passes from the Supplier to the Council, which assigns the benefit of the contract and the related risk directly to the Recipient;
- That the Council shall be liable to pay the balance of the contract pursuant to Article 10.1, subject to any reduction provided for in the terms of the contract;
- That ownership of the deliverables shall be transferred upon payment of the balance;
- That the supplier shall remain liable to provide, deliver and install any goods remaining to be delivered as described in Appendix I of the contract and indicated in the relevant box below;
- That any warranties and other terms of the contract deemed to run from the time of delivery shall, for those deliverables described below and actually delivered to the address indicated, commence as from midnight on the date of signature of the last of the parties;
- That the terms and conditions of the contract remain valid between all of the parties to the contract;
- In particular, that the acceptance of the goods described shall not be considered to waive or exclude liability under the terms of any warranty, express or implied, and that the Provider shall remain liable to perform under the warranty or to pay damages for breach of any of the terms of Article 3.5 of the contract.

| DETAILS OF DELIVERY                                                      |       |  |                                |                               |
|--------------------------------------------------------------------------|-------|--|--------------------------------|-------------------------------|
| (Please complete the table below before signing)                         |       |  |                                |                               |
| Order reference ►                                                        |       |  |                                |                               |
| Place of delivery ►                                                      |       |  |                                |                               |
| Date of Delivery ►                                                       |       |  |                                |                               |
| Details of the deliverables delivered ►                                  | Items |  | Delivered<br>(indicate<br>Y/N) | Accepted<br>(indicate<br>Y/N) |
|                                                                          | 1     |  |                                |                               |
|                                                                          | 2     |  |                                |                               |
|                                                                          | 3     |  |                                |                               |
|                                                                          | 4     |  |                                |                               |
|                                                                          | 5     |  |                                |                               |
|                                                                          | 6     |  |                                |                               |
|                                                                          | 7     |  |                                |                               |
|                                                                          | 8     |  |                                |                               |
|                                                                          | 9     |  |                                |                               |
|                                                                          | 10    |  |                                |                               |
|                                                                          | 11    |  |                                |                               |
|                                                                          | 12    |  |                                |                               |
|                                                                          | 13    |  |                                |                               |
|                                                                          | 14    |  |                                |                               |
|                                                                          | 15    |  |                                |                               |
|                                                                          | 16    |  |                                |                               |
|                                                                          | 17    |  |                                |                               |
|                                                                          | 18    |  |                                |                               |
|                                                                          | 19    |  |                                |                               |
|                                                                          | 20    |  |                                |                               |
| Deadline for inspection and signature of the current act of acceptance ► |       |  |                                |                               |
| Details of remainder of goods/services to be delivered/provided ►        |       |  |                                |                               |
| Comments ►                                                               |       |  |                                |                               |

| Signature for and on behalf of the Provider/carrier | Signature for and on behalf of the Council of Europe | Signature for and on behalf of the Secretariat of the Ukrainian Parliament's Commissioner for Human Rights |
|-----------------------------------------------------|------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
|                                                     |                                                      |                                                                                                            |
| Name:                                               | Name:                                                | Name:                                                                                                      |
| Date:                                               | Date:                                                | Date:                                                                                                      |

