

Industry Bilateral Engagement Meetings – Terms of Engagement

Dear Industry Participant

Thank you for expressing an interest and registering in attending a one-on-one Bilateral Engagement Meeting with the National Emergency Management Agency (NEMA) through the Public Safety Mobile Broadband (PSMB) Taskforce.

Prior to registering for a Bilateral Engagement Meeting, representatives of industry organisations (Participants) should review the information provided on NEMA's PSMB website including the Industry Engagement Framework, these Terms of Engagement and the PSMB Q&As.

Although currently there is no formal approach to market in relation to the PSMB Program, the PSMB Taskforce is bound by general Commonwealth Government-wide probity requirements and will comply with these obligations throughout its engagement with industry, including the conduct of the Bilateral Engagement Meetings.

These probity requirements govern how NEMA engages with Participants at this stage (and all stages) of the Program – in particular to ensure that in conducting the Bilateral Engagement Meetings, the PSMB Taskforce:

- treats each Participant fairly and equitably; and
- does not discuss with one Participant any aspects of another Participant's confidential or commercially sensitive information.

Bilateral Engagement Meeting Terms

As a Participant, you and any representative of your industry organisation attending the Bilateral Engagement Meetings should note, and comply with, the following specific Terms of Engagement:

1. Any statements made by NEMA representatives, do not represent any indication of NEMA's intentions regarding any future approach to market processes, including any potential Request for Information (RFI) or any other procurement processes in relation to the PSMB Program.
2. Information obtained by you during the Bilateral Engagement Meetings should, unless NEMA otherwise advises, be treated as confidential information and not disclosed to any other party.
3. Where a Participant wishes to provide or disclose information on a confidential basis to NEMA, Participants should advise the PSMB Taskforce by email at PSMB@NEMA.gov.au ahead of the Bilateral Engagement Meeting, including the basis on which the information is considered confidential by the Participant for NEMA's consideration.
4. Any questions asked by Industry Organisations during Bilateral Engagement Meetings may be taken on notice. NEMA will publish responses to questions where the information is relevant to all industry organisations who may be interested in developing responses to any future PSMB procurement process. The responses will be published on NEMA's PSMB website at www.nema.gov.au/PSMB/industry without disclosing the source of the questions or revealing any confidential information of the Industry Organisation that asked the questions. For this purpose, industry organisations should identify when asking a question what, if any, information in the question the Industry Organisation considers confidential (in accordance with item 3 above).

5. Participation in the Bilateral Engagement Meetings, is at the industry organisation's sole risk, cost and expense. NEMA will not be responsible for any costs or expenses incurred by any industry organisation participating in the Bilateral Engagement Meetings, including travel expenses.
6. Prior to a Bilateral Engagement Meetings, the industry organisation should notify NEMA of the relevant Participant representatives it will have attending the Bilateral Engagement Meetings.
7. NEMA will make a written record of the discussions during Bilateral Engagement Meetings. NEMA may, but is not obliged to, provide these records, or a summary of the key issues discussed during Bilateral Engagement Meetings to the Participant.
8. Participants are therefore encouraged to keep their own records in relation to the Bilateral Engagement Meetings.
9. Participants are not permitted to take audio or visual recordings during the Bilateral Engagement Meetings (but may take its own notes or minutes).
10. All contact outside of Bilateral Engagement Meetings regarding the Project should be directed to the PSMB Taskforce at PSMB@NEMA.gov.au.
11. NEMA may, but is not obliged to, take into account information provided by you during the meeting for the purpose of further developing project requirements and material for the future RFI or any other phase in the market approach.

Please note that the Australian Government Solicitor (AGS) is NEMA's Probity Advisor for the PSMB Program.

Acceptance of Terms of Engagement

Please advise the PSMB Taskforce at PSMB@NEMA.gov.au if you have any concerns or queries with these probity arrangements prior to registering or to the commencement of any meetings. You will otherwise be deemed to have accepted these Terms of Engagement in registering to attend Bilateral Engagement Meetings.