



Australian Contract Management Software

Australian Contract Management Software Compliance Checklist

Your Essential Guide to Legal & Regulatory Compliance
Ensure your contract management software meets all Australian requirements

This comprehensive checklist will help you evaluate contract management software against Australian legal and compliance requirements. Use this as your guide during the vendor selection process to ensure your chosen solution protects your organisation from legal exposure and maintains full regulatory compliance.

How to use this checklist: Review each item with your potential vendors. Check the box when you've verified compliance. Note any gaps or concerns in your evaluation. A compliant solution should meet all applicable requirements for your industry and business size.

1. Electronic Transactions Act Compliance

- Software captures and stores consent for electronic transactions from all parties
- Electronic signatures reliably identify signatories with tamper-evident technology
- System ensures documents remain accessible for subsequent reference throughout retention period
- Signature method is as reliable as appropriate for the purpose and circumstances of use
- Document integrity is maintained and provable (no alterations post-signature)
- Compliance with relevant state/territory Electronic Transactions Acts (NSW, VIC, QLD, WA, SA, TAS, NT, ACT)

- Audit logs capture who signed, when, and from what location/device

2. Privacy Act 1988 & Data Security

- Vendor has documented privacy policy compliant with Australian Privacy Principles (APPs)
- Data encrypted in transit (TLS 1.2 or higher) and at rest (AES-256 or equivalent)
- Multi-factor authentication (MFA) available for all users
- Role-based access controls (RBAC) with granular permission settings
- Comprehensive audit logging of all document access, modifications, and user activities
- Data breach detection and response capabilities (APP 11 compliance)
- Regular independent security assessments and penetration testing conducted
- SOC 2 Type 2, ISO 27001, or equivalent security certification in place
- System supports Notifiable Data Breaches (NDB) Scheme requirements
- Clear data processing agreements (DPA) that address APP compliance
- Ability to quickly identify and notify affected individuals in case of breach

3. Australian Data Sovereignty

- Primary data centers located in Australia (specify locations: Sydney, Melbourne, etc.)
- Backup and disaster recovery systems hosted within Australia
- Data residency contractually guaranteed in service agreement
- Vendor staff accessing data are based in Australia or cleared/vetted appropriately
- Vendor not subject to foreign government access laws (e.g., US CLOUD Act)
- For government work: Protective Security Policy Framework (PSPF) compliance demonstrated
- For government work: IRAP certification obtained (if handling PROTECTED or above)
- Clear documentation of where data transits and who can access it
- No data transfer to overseas jurisdictions without explicit consent and safeguards
- Subprocessors and third-party services also comply with Australian data residency

4. Industry-Specific Requirements

Healthcare

- Compliance with My Health Records Act 2012 (if handling patient-related contracts)
- Healthcare Identifiers Act 2010 compliance for HI usage and disclosure
- State-based health records legislation compliance (varies by state)
- Secure handling of patient information in contracts and related documents

Financial Services

- APRA Prudential Standard CPS 234 compliance (information security controls)
- Third-party risk management framework meets CPS 234 requirements
- Anti-Money Laundering/Counter-Terrorism Financing Act record-keeping support
- ASIC retention and accessibility requirements for financial contracts met

Construction

- Security of Payment legislation tracking (varies by state - NSW, VIC, QLD, WA, SA, TAS, NT, ACT)
- Automated alerts for payment claim and response deadlines
- Building and Construction Industry (Improving Productivity) Act 2016 compliance
- Work Health and Safety law documentation requirements supported

Legal Practices

- Legal professional privilege protection with stringent access controls
- State Law Society professional conduct rules compliance (varies by state)
- Costs disclosure and engagement letter management per uniform law
- Client confidentiality protections exceed standard requirements

5. Australian Consumer Law Compliance

- System helps identify and flag potentially unfair contract terms (post-Nov 2023 prohibition)
- Version control tracks all term changes and negotiations over time
- Bulk review capability for standard form contracts to identify problematic clauses
- Audit trail shows which terms were negotiated vs. imposed
- Consumer guarantee tracking for B2C contracts (warranties, returns, repairs)
- Cooling-off period management where applicable

6. Document Retention & Accessibility

- Configurable retention policies based on contract type (minimum 7 years per Corporations Act)
- Automated prevention of premature document deletion
- Legal hold capabilities to preserve documents during disputes or litigation
- Audit trails showing complete document lifecycle from creation to deletion
- Tax record retention supported (5 years minimum, typically 7 years)
- Employment contract retention for 7 years post-termination (Fair Work Act)
- Extended retention periods configurable for government contracts (10-15+ years)
- Easy data export in usable formats if changing vendors (no vendor lock-in)
- Documents remain accessible and readable throughout entire retention period

7. Digital Accessibility (Disability Discrimination Act)

- WCAG 2.1 Level AA compliance (required for government, best practice for all)
- Screen reader compatibility for vision-impaired users
- Full keyboard navigation (no mouse required)
- Sufficient color contrast ratios (minimum 4.5:1 for normal text)

- Text resizing capability up to 200% without loss of functionality
- Alternative text (alt text) for all images and visual content
- Accessible forms with proper labels and error identification
- Captions/transcripts for any video or audio content

8. Vendor Due Diligence & Support

- Vendor has Australian business presence (ABN, local entity)
- Local customer support available during Australian business hours
- Implementation and training provided by Australian-based staff
- References available from similar Australian organisations
- Clear SLA (Service Level Agreement) with uptime guarantees
- Business continuity and disaster recovery plans documented and tested
- Regular product updates and security patches provided
- Vendor financially stable with long-term viability
- Clear data ownership clauses in contract (your data remains yours)
- Transparent pricing with no hidden costs
- Trial or pilot program available before full commitment

Your Compliance Score

Count your checkmarks:

- 80-90+ boxes checked: Excellent compliance - strong foundation
- 60-79 boxes checked: Good compliance - address gaps for your industry
- 40-59 boxes checked: Moderate compliance - significant work needed
- Below 40 boxes: Consider alternative vendors or request vendor roadmap

Note: Not all items apply to every organisation. Focus on requirements relevant to your industry, business size, and risk tolerance. Items marked for government or specific industries may not apply to your situation.

Next Steps

1. Share this checklist with potential vendors during evaluation
2. Request written confirmation of compliance for checked items
3. Ask for supporting documentation (certifications, policies, audit reports)
4. Involve your legal, IT security, and compliance teams in the review
5. Prioritise requirements based on your industry and risk profile

6. Include compliance requirements in your vendor contract/SLA

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