

ELEMENT MATERIALS TECHNOLOGY
PURCHASING TERMS AND CONDITIONS (Singapore)

1 GENERAL

- a. In these Terms and Conditions, the Element Materials Technology group is the legal entity purchasing the Goods or Services from the Supplier. The Buyer and any of its Subsidiary companies (with the exception of the Buyer and the Supplier) shall be deemed to be the Buyer and the Supplier under these Conditions.
- b. The Order constitutes an offer by the Buyer to purchase Goods and/or Services from the Supplier in accordance with these Terms and Conditions. The Order shall be deemed to be accepted on the earlier of:
- i. the Supplier issuing written acceptance of the Order; or
 - ii. any act by the Supplier consistent with fulfilling the Order,
- at which point and on which date the Contract shall come into existence.
- c. These Conditions and the Order contain all the provisions which the parties have

- b. In the case of the Services the Supplier warrants to the Buyer that:
- i. the Services shall, on completion of their provision to the Buyer, comply with the agreed specification or, with the Supplier's standard specification and with any description or demonstration and shall otherwise be the best of their kind provided in the trade and be to the Buyer's satisfaction;
 - ii. the Services shall be provided with the highest standards of care, skill and workmanship accepted within the trade and the Supplier shall hold in safe custody on its own risk and treat with the highest degree of care and skill accepted within the trade all items or other materials of the Buyer provided to the Supplier for or in connection with the provision of the Services;
 - iii. it shall use personnel who are suitably skilled and experienced to perform tasks assigned to them, and in sufficient numbers so that the Supplier's obligations are fulfilled in accordance with this Contract;
 - iv. it shall use the best quality goods, materials, standards and techniques, and ensure that the deliverables and materials supplied and used in the Services or transferred to the Buyer, will be free from defects in workmanship, installation and design;
 - v. the Services shall be provided in accordance with all applicable standards, regulations and/or legal requirements, European and British/Singaporean Standards and best accepted industry practices; and
 - vi.

