



Title: Terms and Conditions of Application for Licence - To Use the WaterMark Certification Trade Marks

1. DEFINED TERMS

In this application (including its attachments):

Applicable Specifications means those documents (like standards, industry schemes and codes) that contain specifications and requirements for Plumbing Products that Standards Australia allows certified compliance with which to be signified by use of the WaterMark and includes the Manual of Authorisation Procedures for Plumbing and Drainage Products (MP52), AS 5200 - (Technical specification for plumbing and drainage products) and the Plumbing Code of Australia.

Approved User Agreement means an Agreement issued by IAPMO R&T Oceana and attached as Attachment UMA-103.

Plumbing Products means the water supply, sewerage, plumbing or drainage products in connection with which the Approved User may apply the WaterMark.

Rules means each or all of the Rules lodged with the Registrar of Trade Marks for each or all of the WaterMarks, as the context may be and attached as Attachment UMA-104.

2. SCOPE

These Terms and Conditions constitute the basis upon which IAPMO R&T Oceana will process applications made to it for the grant of a non-transferable, non-exclusive licence to use the WaterMark as a certification trade mark in Australia and the basis upon which the Applicant for the licence submits its application for the granting of such a licence.

These Terms and Conditions apply to the application made to IAPMO R&T Oceana for both initial licensing and for the transfer of a licence from another JAS-ANZ accredited Certification Assessment Body.

The Applicant recognises that these Terms and Conditions regulate the relationship between it and IAPMO R&T Oceana in respect of the application and assessment process and that this application, the grant of the licence and the licence are subject to the Rules for the WaterMark Certification Trade Marks.

3. INFORMATION

The Applicant acknowledges that, In accordance with the Rules, all information provided by it, whether of a confidential nature or otherwise, may be:

used or disclosed by IAPMO R&T Oceana if the disclosure is necessary to comply with the law or to maintain the integrity or validity of the WaterMark or IAPMO R&T Oceana's status as an Approved Certifier; or

disclosed to Standards Australia and such information may used or disclosed by Standards Australia if the disclosure is necessary to comply with the law or to maintain the integrity, validity or Standards Australia's ownership of the WaterMark.

4. GRANT OF LICENCE

A licence will be granted where IAPMO R&T Oceana is satisfied that the Applicant has provided all documents and records relevant to the application and is capable of:

- in relation to Plumbing Products in connection with which the use of the WaterMark is sought, providing such Plumbing Products certified as complying with applicable specifications;
- entering into the Approved User Agreement and the Continuous Compliance Inspection Agreement;
- complying with the terms of the Approved User Agreement and the Continuous Compliance Inspection Agreement;
- paying any fees for the issuance of the WaterMark licence by the due dates.

5. REVIEW PROCEDURES

If the Applicant is dissatisfied with a decision of IAPMO R&T Oceana to refuse to grant a licence and wants the decision reviewed, it must apply for a review of a decision in accordance with the Review Procedures as issued by IAPMO R&T Oceana from time to time.