

# COVID-19: WHAT YOU NEED TO KNOW.

Businesses are having to deal with unprecedented challenges brought on by COVID-19. Below are some of the challenges your business may need to think about.



## RETAIL & COMMERCIAL LEASES.

1

What do the terms of your lease say?

2

Does the National Cabinet's Mandatory Code of Conduct for commercial tenancies apply and how can it assist you?

3

Have commercial negotiations between landlord and tenant commenced?

4

Have any variations agreed between the landlord and tenant (eg rent relief) been formalised in a deed of variation or similar legal document?



## CONSUMER LAW.

1

Have you considered the Australian Consumer Law before increasing your prices?

2

Can you increase prices for certain products that are in heightened demand (eg face masks, sanitisers)?

3

Are your cancellation and refund policies and processes consistent with the Australian Consumer Law?

4

Maintain communications with customers but don't mislead, deceive or act unconscionably.

5

What happens where you are unable to supply goods/services as a result of Government mandated rules or the nature of a good/service materially changes as a result of pandemic-related measures?



## CONTRACT & SUPPLY CHAIN.

1

Consider whether force majeure clauses can apply and whether the contract has been 'frustrated'.

2

Are there parts of your supply chain which are interdependent, and have you mitigated the flow-on effects of potential delays/cancellations?

3

Consider getting advice if there are concerns regarding defaults in contractual obligations by either your business or by third parties.

4

Have you considered additional security (eg a PPSR) if there are solvency concerns regarding the contract counterparty?



## BUSINESS CONTINUITY CONSIDERATIONS.

1

Is your business ready for similar situations in the future by reviewing existing contracts and updating standard terms?

2

Does your business have the required work from home policies in place in a work from home environment?

3

What can you do to make sure your staff, and your business, are protected from cyberattacks or privacy breaches while they are working remotely?

4

Have you checked if your insurance policies cover business interruption?



GET IN  
TOUCH TODAY.

[info@bespokelaw.com](mailto:info@bespokelaw.com)