

# Loan Agreement

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Unsecured

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THIS AGREEMENT dated

2015

PARTIES:

[NAME] (ACN/ABN [For tax reasons, normally an ABN will be required. However if a company has no ABN, the ACN may be used in certain circumstances. See sections 153 and 1344 of the Corporations Act.]) of [ADDRESS] (abbreviation)

OF THE FIRST PART

AND

[NAME] (ACN/ABN [For tax reasons, normally an ABN will be required. However if a company has no ABN, the ACN may be used in certain circumstances. See sections 153 and 1344 of the Corporations Act.]) of [ADDRESS] (abbreviation)

OF THE SECOND PART

## RECITALS

- A. The lender has, at the request of the guarantor, if applicable, agreed to lend money to the borrower in accordance with and subject to the terms of this deed.
- B. The guarantor, if any, and the borrower acknowledge that the money referred to in this deed has been received by the borrower.

## TERMS

### 1 DEFINITIONS & INTERPRETATION

#### 1.1 Definitions

In this Deed, unless otherwise indicated by the context:

- (a) Business Day means a day that is not a Saturday, Sunday, public holiday or bank holiday in the state in which the subject matter of this agreement is to be performed [Sydney, Brisbane, Melbourne etc];
- (b) Business Hours means from 9.00 am to 5.00 pm on a Business Day;
- (c) Force Majeure Event means any:
  - (i) act of God;
  - (ii) outbreak or escalation of hostilities (whether or not war has been declared) or any other unlawful act against public order or authority;
  - (iii) industrial dispute;
  - (iv) restraint; or
  - (v) other event which is not within the reasonable control of the parties;
- (d) Person includes a natural person, body corporate, partnership, joint venture, association or other incorporated or unincorporated legal entity;
- (e) Ineffective means void, illegal or unenforceable;