

## Internal memo explaining contractual options in the event of an OSTRAL situation

### Background:

EPFL has adopted a Directive setting out the framework conditions in the event of an OSTRAL situation (LEX 1.1.15). Pursuant to art. 5 para. 4 of this directive, this internal memorandum provides guidelines on how to proceed with contracts of all types, in force or to be entered into, in the event of an OSTRAL situation.

**This note constitutes a general recommendation, and each case will have to be analyzed on its own merits.** Legal Affairs is at your disposal for any detailed expertise.

### OSTRAL situation procedure

#### a. Contract in force at time of situation OSTRAL

If, at the time of the OSTRAL situation, the contract is in force and this proves necessary in view of the circumstances, the unit responsible for processing the contract may negotiate with the partner(s) new contractual conditions adapted to the situation (e.g. deadlines, modification of services, financial benefits, etc.). These new contractual conditions must be set out in an amendment to the contract, signed by the parties concerned.

If the contractual partner refuses such a contract amendment, or if a dispute seems likely or arises, the competent unit will consult Legal Affairs.

#### b. Contract not yet in force at the time of the situation OSTRAL

If, at the time of the OSTRAL situation, the contract has not yet come into force, the unit responsible for processing the contract may include a contractual clause specifying the conditions of execution, should the shortage situation persist.

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