



Deed of Indemnity for Ancillary Works and Encroachments on a State-controlled road - Trust

(section 50 of the *Transport Infrastructure Act 1994*)

Indemnifier

The indemnifier is the entity responsible for the structure or activity in the road corridor and is the same name as shown on the public liability insurance.

Name of indemnifier

Australian Business Number of indemnifier

Name of person authorised to represent the indemnifier

Street address of indemnifier

Postcode

Postal address of indemnifier

Postcode

Details of Ancillary Works and Encroachment (structure or activity)

Description of ancillary works and encroachment

Location

GPS coordinates

I, the indemnifier named above:

- a. indemnify the State of Queensland (represented by the Department of Transport and Main Roads (TMR)), its officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the ancillary works and encroachments including where the losses are caused by the acts or omissions of the indemnifier's officers, employees, agents and subcontractors
- b. acknowledge that provision of this indemnity is a condition of approval of the ancillary works and encroachments under section 50 of the *Transport Infrastructure Act*.

In this deed poll, 'losses' include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature whether arising in contract or tort (including, but not limited to negligence) or under a statute, and also includes:

- a. loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- b. any other consequential, special or indirect loss or damage.

Please complete the relevant section below.

For an individual representing the trust
Executed as a deed poll

Signed, sealed and delivered for and on behalf of the indemnifier in the presence of:

Name of witness (printed)

Name of trustee

Signature of witness

Signature of trustee

For a company (sole director) representing the trust
Executed as a deed poll

Signed, sealed and delivered for and on behalf of the indemnifier in accordance with section 127 of the *Corporations Act 2001 (Cth)*:

Signature of sole director/secretary

For a company (multiple directors) representing the trust
Executed as a deed poll

Signed, sealed and delivered for and on behalf of the indemnifier in accordance with section 127 of the *Corporations Act (Cth)*:

Name of director (printed)

Name of director/secretary (printed)

Signature of director

Signature of director/secretary

Privacy statement: TMR is collecting the information on this form for the purposes of processing your application to install an ancillary works and encroachment in State-controlled roads. Personal information collected will be managed in accordance with the *Information Privacy Act 2009* and will only be accessible by authorised officers and approved contractors of TMR. Your personal details will not be disclosed to any other third party without your consent unless required or authorised to do so by law.