



NSAI
Standards

Irish Standard
I.S. EN 17371-2:2021

Provision of services - Part 2: Services contracts - Guidance for the design, content and structure of contracts

I.S. EN 17371-2:2021

Incorporating amendments/corrigenda/National Annexes issued since publication:

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National Foreword

I.S. EN 17371-2:2021 is the adopted Irish version of the European Document EN 17371-2:2021, Provision of services - Part 2: Services contracts - Guidance for the design, content and structure of contracts

This document does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

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EUROPEAN STANDARD

EN 17371-2

NORME EUROPÉENNE

EUROPÄISCHE NORM

November 2021

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English Version

Provision of services - Part 2: Services contracts - Guidance for the design, content and structure of contracts

Prestation de services - Partie 2 : Contrats de services -
Recommandations pour l'élaboration, le contenu et la
structure des contrats

Dienstleistungserbringung - Teil 2:
Dienstleistungsverträge - Leitlinien für die Gestaltung,
Inhalt und Struktur von Verträgen

This European Standard was approved by CEN on 21 June 2021.

CEN members are bound to comply with the CEN/CENELEC Internal Regulations which stipulate the conditions for giving this European Standard the status of a national standard without any alteration. Up-to-date lists and bibliographical references concerning such national standards may be obtained on application to the CEN-CENELEC Management Centre or to any CEN member.

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European foreword

This document (EN 17371-2:2021) has been prepared by Technical Committee CEN/TC 447 “Horizontal standards for the provision of services”, the secretariat of which is held by BSI.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by May 2022, and conflicting national standards shall be withdrawn at the latest by May 2022.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN shall not be held responsible for identifying any or all such patent rights.

This document has been prepared under a Standardization Request given to CEN by the European Commission and the European Free Trade Association.

Any feedback and questions on this document should be directed to the users’ national standards body. A complete listing of these bodies can be found on the CEN website.

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EN 17371-2:2021 (E)

Introduction

This document is part of a series of European Standards that address different phases in the provision of services (see Figure 1): the service procurement phase (EN 17371-1), the service contracting phase (EN 17371-2) and the service execution phase (EN 17371-3).

Each part of the series can be used individually or in combination with the other parts.

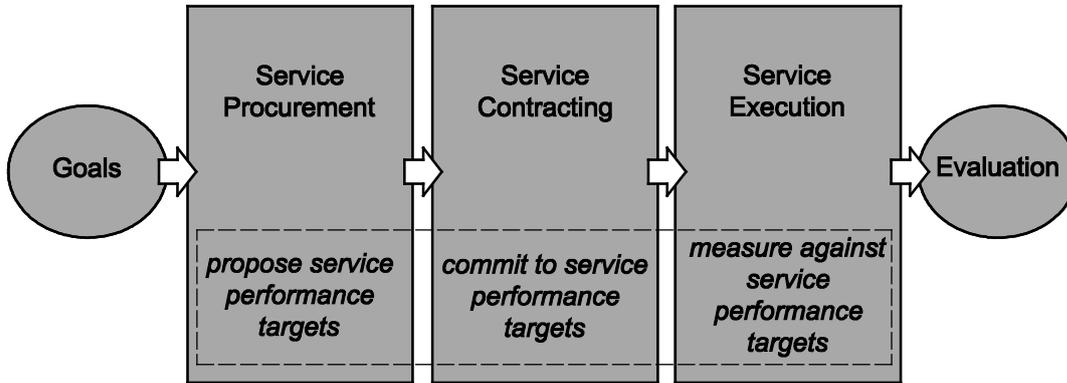


Figure 1 — Phases in the provision of services

The drafting of the series was initiated after CEN presented the findings of a study on the potential and a possible impact of horizontal service standards on the EU single market for services. This study was as a response to mandate M/517 from the European Commission for programming and development of horizontal service standards. The objective of this mandate was to encourage the development of voluntary European Standards covering issues common to many service sectors. Such standards should aim to facilitate compatibility between service providers and improve information and the quality of services to the recipient.

This document addresses the service contracting phase and has been developed to provide organizations with guidance on the design, content and structure of service contracts. No part of this document is intended to be mandatory for inclusion in a service contract; rather it is structured to enable organizations entering into a service contract to identify the solution best suited to achieve the intended business outcomes. The guidance lists the key contents of a service contract that organizations might consider as part of the broader solution being contracted. Based on the nature of services being contracted, the service buyer and service provider can decide upon the specific content for their service contract. This document does not provide guidance regarding the applicable legal rules and regulations.

1 Scope

This document provides guidance on the design, content and structure of service contracts. It is aimed at service buyers and service providers entering a contractual relationship who do not necessarily have legal training. The guidance set out in this document does not constitute legal advice.

This document is applicable to:

- a) service buyers and service providers regardless of type, size or the nature of the services;
- b) service providers who may be inside or outside the service buyers' organization; and
- c) any interested parties who are directly or indirectly involved in or affected by a procurement process.

This document is not applicable to service contracts where the service buyer is a consumer, nor for works contracts.

NOTE 1 “Works contracts” are contracts that have as their object the execution, or both the design and execution, of a work are not covered. Contracts having as their object only the design of a work are covered.

NOTE 2 “Work” means the outcome of building or civil engineering works taken as a whole which is sufficient in itself to fulfil an economic or technical function.

NOTE 3 “Consumer” means an individual member of the general public purchasing or using services for private purposes.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- IEC Electropedia: available at <https://www.electropedia.org/>
- ISO Online browsing platform: available at <https://www.iso.org/obp>

3.1

contracting parties

contracting party

service buyer and service provider which conclude a service contract

Note 1 to entry: Each service buyer/provider is considered a contracting party.

3.2

service buyer

organization that buys services from a service provider

Note 1 to entry: In public procurement, the service buyer may also be known as the contracting authority/entity.

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