



LexisNexis®

# Executive employment agreement

**Description:** This is a precedent employment agreement for use when engaging an executive.

**Authors:** Joe Catanzariti  
Partner, Clayton Utz

Michael Byrnes  
Special Counsel, Clayton Utz

A collection of authoritative precedents from your most trusted source is available on <http://www.lexisnexis.com/store/precedents>.

This precedent is also available via subscription to the LexisNexis product the [Australian Encyclopaedia of Forms and Precedents](#).

This document is provided to you pursuant to our Terms & Conditions available on the LexisNexis website. You agree to use the document and its contents in accordance with those terms for the limited purpose of research, giving professional advice to clients, assistance in drafting of agreements, submissions, reports and other like documents in the ordinary course of your business. You agree not to distribute, display, on-sell or transmit this document for any purpose except as permitted above.

The document is prepared by the author and is not intended to and does not constitute legal advice whatsoever. Neither LexisNexis nor the author warrants that this document is fit for any specific purpose or is free of any, errors, omissions or defects. You should satisfy yourself that it is appropriate for your own intended use. Neither LexisNexis nor the author accept any liability, loss or damages resulting from or connected with the use of the document.

## Executive

THIS EXECUTIVE EMPLOYMENT AGREEMENT

BETWEEN: *[name of company]*, a company  
registered office at *[address of company]*

AND: *[name of executive]* (**Executive**)

### RECITALS:

- A. The Company has decided to appoint *[name of executive]* and has further decided to offer the position of *[insert title of senior executive]* to *[name of executive]*.
- B. The Executive has agreed to accept the offer of the position of *[insert title of senior executive]*.
- C. The Company and the Executive agree that the Executive is entitled pursuant to the terms of this agreement to accept the office of *[insert title of senior executive]* from the Commencement Date.
- D. The Company and the Executive agree that the terms of this agreement will apply to the Executive's employment.

IT IS AGREED as follows:

- 1. Appointment as *[insert title of senior executive]***
  - (a) The Company appoints the Executive to the position of *[insert title of senior executive]*.
  - (b) The Executive will be based at *[insert address]* and acknowledges and accepts that the Executive's office will be located at *[insert address]* from such location in order to perform the duties of the position.
- 2. Duration**

The Executive's appointment will continue until terminated in accordance with the terms of this agreement.
- 3. Probationary period**

The Executive's employment will be subject to a probationary period of *[insert number]* months. If the Executive is terminated during the probationary period, the Company shall pay the Executive a payment in lieu thereof.
- 4. Duties and accountability**
  - (a) The Executive will be responsible for the performance of the duties of the position in accordance with the terms of this agreement.
  - (b) The Executive will report and account to the *[insert name of Company board]* of the Company from time to time.
  - (c) In performing the Executive's duties, the Executive shall:
    - (i) serve the Company faithfully and honestly;
    - (ii) act in the best interests of the Company;
    - (iii) avoid all conflicts of interest and the appearance of acting in the interest of any other person or entity.

LexisNexis Sample