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ADVANCED CONTRACT LAW IN PRACTICE

Live Online Training

Master your contract interpretation & preparation skills through this advanced program designed to extract, discuss, & interpret complex contract law issues & the real intent behind clauses, terms & conditions to generate true value for your business.

December

Course Parts will commence at **10:00** and end at **14:00 (AEDT)**. There will be short breaks during each course Part.

Part 1: **9th December**

Part 2: **10th December**

2 Part Series



informa
corporate learning

Our Expert Course Instructor



Terry Reid

Terry has over 28 years' experience as a barrister, solicitor and lecturer. Combining an exceptional legal mind with business experience, Terry's courses are delivered with a very high degree of interaction with participants gaining an insightful view of how the law can be beneficial in their business.

Key Learning Objectives

- ▶ Identify the legal issues which arise from using certain contract terms clauses
- ▶ Review select terms and conditions and identify when and where these should be used in contracts
- ▶ Maintain control of the contracting process by using terms and conditions and designing an appropriate framework
- ▶ Examine and develop practical approaches to the following terms, conditions and clauses: indemnities, insurance, payment, bank guarantees, force majeure, liability, liquidated damages and termination
- ▶ Consider advanced drafting techniques to ensure terms and conditions do not create ambiguity and uncertainty in contracts



This course is a core unit in the Contract Management Professional Certification.



Informa Corporate Learning is an IACCM Learning Partner.



Use this course to help fulfil your Continuing Professional Development (CPD) educational requirements to retain your professional status.

REGISTER NOW > www.informa.com.au/advancedcontract

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ABOUT THE COURSE

Third in our contract law series and our CMP certification, this course is designed to de-mystify complex and confusing terms and conditions to take the headache and procrastination out of contract analysis. One of the biggest costs to business today is the time taken to understand the true meaning, intent, and associated implications and liabilities for individuals and organisations.

As the economy picks up, many more contracts are being written with a myriad of complex terms and conditions. These, often extremely critical terms and conditions get glossed over and sometimes overlooked, resulting in \$1000s in time wasted, project hold ups and legal fees to establish fault and compensation. The course will take a step by step approach through some of the most complex contracts we are faced with in business.

The course will cover a wide spectrum of industry sectors, and will be adjusted and tailored to suit the participants' needs on the day. The instructor will spend detailed time teaching participants how to interpret examples, and take their interpretative and analysis skills back to their workplace.

WHO WILL BENEFIT

- This practical advanced course is relevant for ALL those who have dealings with contracts in their everyday business environment – in any industry sector.
- This course looks at contract law in much detail and should not be attended by anyone who has no understanding of the law.
- Participants with a very good understanding of law and a good practical background are well served by this course.

Course Prerequisite:

To attend this course, you must first attend either the 'Contract Law Fundamentals' or 'Contract Law Masterclass'

Learn Anywhere, Learn Anytime

Catering to meet all your learning needs:

- Get **high quality** practical training from our expert instructors
- From **Face To Face, Online** and **Blended Learning**, get a superior solution for your learning needs
- Learn **live online** in an interactive environment
- **Invest** in yourself. Invest in your team.

Register today for our **Live Online Training** courses and find out how they can help you transform the way you work. Contact one of our training consultants on training@informa.com.au to find out more.

OUR EXPERT COURSE INSTRUCTOR



Terry Reid

Terry has over 27 years' experience as a barrister and solicitor and in the delivery of courses on a variety of legal and commercial topics, covering a wide range of audiences.

Terry graduated in arts and law with first class honours from the University of Auckland and subsequently completed his post graduate qualification at the University of Melbourne. After a period in the banking and finance sector advising banks on a range of financing transactions he entered legal practice working in the corporate/commercial areas. During this time in legal practice he was engaged in teaching at universities and he now mixes teaching with legal consultancy.

Terry's legal practice has focused on business law, contracts and corporations' law, and has been involved in providing advice on a wide range of business transactions. His clients have ranged from small businesses owned by individuals to large publicly listed companies.

Terry regularly advises the Asian Development Bank, World Bank and Governments' on business law reform. As well as working in Australia and New Zealand he has worked extensively in South East Asia and the Pacific. This advisory work includes the provision of advice to governments on business law policy, design of reform programs as well as drafting legislative instruments.

Combining an exceptional legal mind with business experience, Terry's courses are delivered with a very high degree of interaction with participants gaining an insightful view of how the law can be beneficial in their business.

Terry regularly provides courses for professional organisations, public and private sector clients, advising on topics such as contract law, legal compliance in the business sector and regulatory reform in financial markets.

WHAT OUR CLIENTS SAY

"Good at engaging with students, terrific examples, well spoken, always has an answer. I would attend any of his courses."

Estimator Services Projects, **Outotec Pty Ltd**

"Terry is a very engaging presenter and provides a rich array of examples to aid understanding. My experience with Informa was positive from beginning to end... Terry was an excellent presenter and the course content was well constructed and relevant. Terry took what was potentially a dry topic and brought it to life."

Project Manager, **KBR**

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Course Outline

Risk management in contracts and the use of warranties, indemnities and exclusion clauses

- Outline of basic liability at common law
- The different types of losses which need to be provided for
- Discuss the differences between general damages, consequential loss and normal loss
- Drafting consequential loss clauses which will be enforceable
- Define exclusion clauses and examine the rules of interpretation which apply
- The exclusion of liability for negligence, misleading and deceptive conduct, and terms implied by the Consumer and Competition Act

Indemnities and liabilities

- Definition and categorisation of indemnity clauses
- The legal rules of construction which apply to indemnities
- Examine the case law and examples and how courts deal with the application of such clauses
- Drafting indemnity clauses for maximum protection and impact

The use of insurance terms in contracts

- A detailed examination of insurance clauses in contracts to assist in their negotiation and inclusion
- The impact of legislation on the application of insurance clauses
- Identification of contract risk and who bears the risk in a contract
- Limits of liability, periods of insurance and the issue of noted and insured parties
- Examination of cross liability and non-imputation clauses
- Defining insured and the problems which arise when the definition is not clear
- Jurisdictional issues
- Drafting techniques and case examples of insurance provisions



Termination at law and termination for convenience

- An outline of termination at common law
- Examine the cases which support termination and the practical approaches to termination
- The current standing of termination clauses in contracts
- Drafting termination clauses in different types of contracts
- The use of termination for convenience clauses in contracts
- The common law rules and termination for convenience
- Restrictions on the right to terminate for convenience
- The importance of 'good faith' and its impact on these clauses
- The impact of unconscionability on convenience clauses
- Drafting suggestions for termination for convenience clauses

The issues surrounding liquidated damages and the practical approach to using liquidated damages clauses

- What are liquidated damages and when should they be used
- The legal principles surrounding the enforceability of liquidated damages clauses
- The relationship of these clauses with other contractual remedies
- The practical aspects of using and getting the most out of these clauses
- An examination of the case law and the development of a practical response to using liquidated damages clauses

Force majeure clauses and their use in contracts

- Why are these clauses necessary in contracts?
- Abandonment and Frustration
- The key points to consider when drafting a force majeure clause
- Review of examples of well drafted and poorly drafted clauses

Case study analysis throughout the course

The course will underpin the legal rules which apply to contracts by using case examples and a detailed case study to suit the participant's specific needs on the day.

All case studies and examples will provide an excellent opportunity for participants to apply the legal principles which will assist in the development of organisational systems to promote better use of contracts

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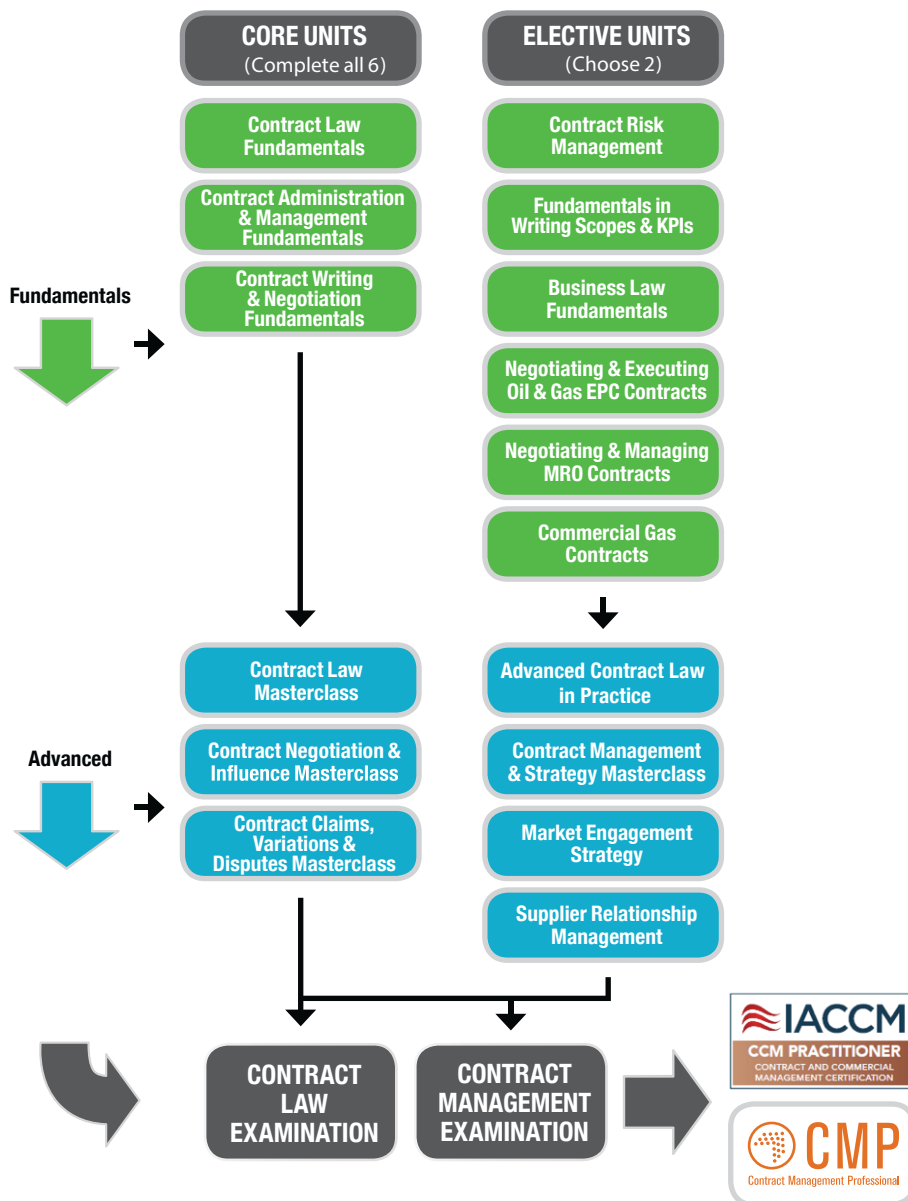
Part 2: **10th December**

THE CMP CERTIFICATION FRAMEWORK

The CMP provides a robust method of up-skilling and recognising an individual's expertise and experience in contract management and procurement. Our combination of in-class teaching, facilitation, knowledge based testing and workplace evidence based examinations has been carefully crafted to not only teach knowledge and skills, but to also demonstrate how individuals can apply their knowledge to work based situations. This Certification is recognised by IIBT and IACCM.

Contact us to see how we can help you:

Visit www.informa.com.au/training, email training@informa.com.au or phone **+61 (02) 9080 4395**



Informa Corporate Learning is a Learning Partner of the International Association for Contract and Commercial Management (IACCM), which promotes the international standards and practices for defining and managing trading relationships.

ABOUT IIBT



The International Institute of Business & Technology Aust (IIBT) is a highly respected,

Government approved, Australian provider of higher education and VET programs. Their suite of programs includes a University level **Diploma of Business Administration**, equivalent to the first year of a business related undergraduate degree at Australian Universities. www.iibt.wa.edu.au

THE IIBT / INFORMA CORPORATE LEARNING ALLIANCE

IIBT and Informa Corporate Learning joined together to provide a pathway for those who complete Informa's CMP at the Master level. All CMP Masters will receive Recognised Prior Learning (RPL): 2 units of credit in the 12 month, Higher Education, University level Diploma of Business Administration.

- Business Law (BL101)
- Management in Organisations (MGT101)

***This is a Higher Education Diploma equivalent to first year university NOT a Vocational Education Diploma.**

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Easy Ways to Register

1 Web
www.informa.com.au/advancedcontract

2 Telephone
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3 Email
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Advanced Contract Law in Practice

Course Code	Location	Course Parts	Month	Standard Price	4+ Dels Discount
P20GL06SYV	Live Online Training	All 4 Parts	December 20	\$1,436 + \$143.60 GST	\$1,579.60 Great Savings: When you book 4 or more participants! Call us today on +61 (2) 9080 4395 or email training@informa.com.au to take advantage of the discount offer.

Privacy Policy & Updating your Details:

Please visit us online at www.informa.com.au/privacy for a full privacy policy. Database amendments can be sent to database@informa.com.au or phone **+61 (0) 2 9080 4017. ABN: 66 086 268 313**

Informa Corporate Learning – On-site & Customised Training

Informa Corporate Learning has a long-standing track record of delivering very successful customised learning solutions achieving real and measurable value for our clients through our senior training consultants.

If you have 8+ interested people, an on-site course can be the ideal solution – giving you the opportunity to customise our course content to your specific training needs, as well as attracting significant savings compared to public course costs.

Why Choose On-site With Informa Corporate Learning?

- 1. Custom design** – Together, we will identify the best blended learning solution for your culture, your people and your training objectives.
- 2. Quality Assured** – We design market-leading training programs, concepts and methodologies, with a 400+ course portfolio. Our rigorously selected 900+ instructor faculty are recognised experts in their field. Quality of their content and delivery methods is assured through continuous monitoring and evolution.
- 3. On-site training** is a cost effective way to train your people and achieve your defined outcomes.

Our Long Standing Clients Include:

ActewAGL, Ajilon, Ambulance Victoria, ANU, Arrow Energy, Australian Super, Barrick, BHP, Chevron Australia, Coffey International, ConocoPhillips, CSIRO, Dalrymple Bay Coal Terminal, Department of Education, Department of Planning, Electricity Generating Authority of Thailand (EGAT), ENI Australia, EY, Fortescue Metals Group, Health Purchasing Victoria, IBM, IP Australia, Jemena, Litmus Group, Metro Trains, Office of the National Rail Safety Regulator, Origin Energy, Pacific National, PT Freeport, Public Transport Authority – WA, QGC – BG Group, Queensland Rail, Rio Tinto, Romgaz, SA, South Australia Health, Telstra, Transport & Infrastructure, UBS, Woodside and more...

Speak with **Anton Long** or **Holly Baldwin** on **+61 (02) 9080 4455** to discuss your customised learning solution, or email training@informa.com.au