

Contract Law Masterclass

For Non-Lawyers

2-Day Training Course

Learn to better manage risk, systematically audit contracts & improve dispute resolution by examining advanced elements of contract law & contractual obligations. Become competent at assessing the legal advice you receive & interpreting it correctly to generate true value for your business

Our Expert Course Leader



Terry Reid

Terry has over 27 years experience as a barrister, solicitor & lecturer, & is an expert trainer

22-23 Mar 17 | Brisbane 

24-25 May 17 | Perth 

7-8 Jun 17 | Melbourne 

15-16 Nov 17 | Sydney 

Key Learning Objectives

- Gain new tools, knowledge and means to handle and develop legally astute and advantageous contracts
- Implement strategies to ensure your contracts are plainly expressed and well risk-managed
- Protect your interests if things go wrong in the future
- Understand the force of your contractual obligations
- Identify clauses that can be used to effectively manage risk
- Recognise the optimal times to exert the power of the clauses in your contracts
- Appreciate what constitutes a good contract and why
- Ensure that your organisation has a high level of 'contractual governance'
- Understand the contractual implications of practical e-commerce



ONSITE & CUSTOMISED COACHING

For tailored versions of this course, OR for individual coaching, please contact +61 2 9080 4454

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ABOUT THE COURSE

Second in our contract law series and our CMP Certification, this course is designed to address the most recent issues confronting executives in a contract process. You will examine the issues arising on formation and how to ensure parties maintain control when establishing their contractual obligations.

This course will focus on how judges' deal with issues of interpretation of contracts and how to ensure that ambiguity is avoided in documentation.

You will also learn to interpret recent decisions of judges and the impact of these decisions on contract law and its practice. The use of well

used clauses requires precise drafting to ensure the clauses achieve their desired purposes.

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 intermediate course is relevant for ALL those who have dealings with contracts in their everyday business environment
- The course assumes at least a fundamental

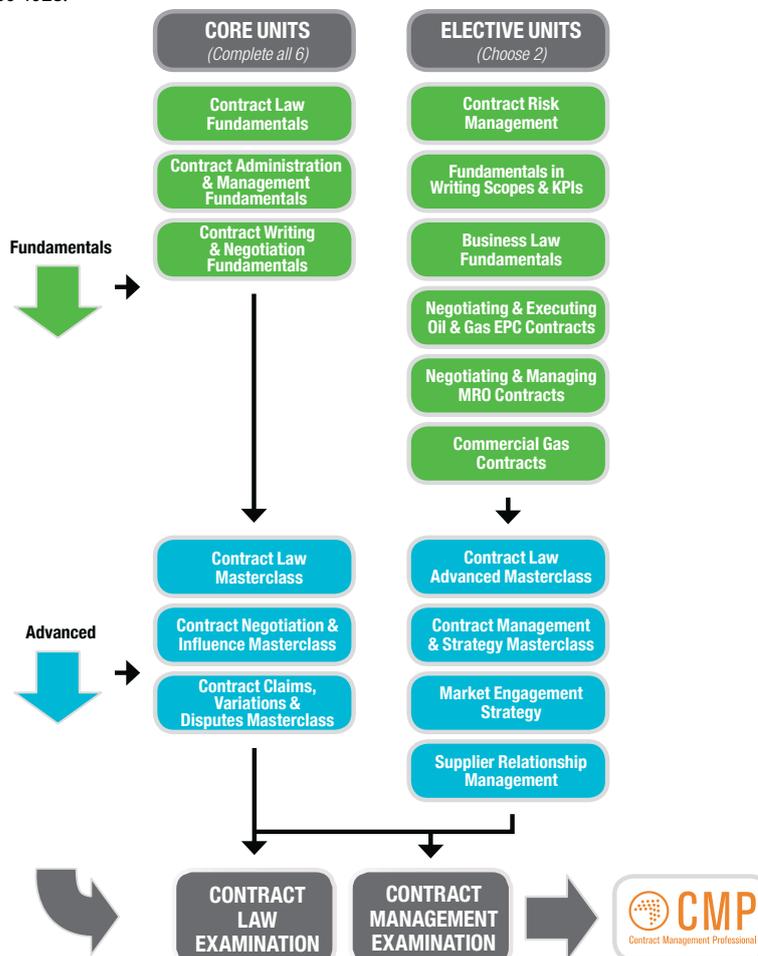
knowledge of the law. In order to discuss these more detailed concepts presented in this course, all participants must understand the basics

- It suits people who have a strong practical background and wish to explore some topical areas in more detail
- Often people who have completed law degrees attend this course due to its strong practical focus and application

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 endorsed by the AAPCM.

Contact us to see how we can help you: Visit www.informa.com.au/cmp, email cmp@informa.com.au or phone +61 2 9080 4028.



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)

For those wishing to further their qualification from Diploma to a higher level, the Diploma has guaranteed articulation into the second year of a relevant bachelor degree at one of the partner universities, including Curtin University, University of Wollongong, Bond University, University of Tasmania, Swinburne University of Technology and Edith Cowan University

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

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2-Day Intensive Course Outline

MANAGING ISSUES ON FORMATION

- Analysing the interpretation problems with formation documents, e.g. Letters of intent, MoUs, Letters of Comfort and Heads of Agreements
- Preliminary agreements and certainty of terms in contracts
- The problem of 'good faith' in contracts and what this means for contracting parties
- The formation of process contracts and the associated risks
- Issues surrounding electronic transactions

DRAFTING A WATERTIGHT YET CONCISE CONTRACT

- The approach taken by judges in interpreting documentation
- The fundamentals of a modern approach to plain drafting
- Using appropriate grammatical structures and words to avoid
- Developing an appropriate structure for contracts and plain language vocabulary
- The incorporation of KPIs in contract drafting
- Development of an overall design framework for contract drafting
- The use of 'standard form' contracts and how to avoid exposure by using these contracts
- The problems surrounding the use of boilerplate clauses in contracts

TERMINATION OF CONTRACTS

- The legal rules which govern termination in contracts
- Designing termination provisions in contracts to ensure they avoid any adverse judicial interpretation
- Identification of the practical response to termination rights in a contract
- Minimisation of the risk which arises on a right of termination being exercised
- Identification of conduct which amounts to wrongful termination and its impact on contracts
- The rules relating to repudiation in contract management

DAMAGES EXAMINED

- The legal principles which apply to contractual remedies
- Matters which affect the recovery of damages and recent cases where the courts have assessed damages
- The rules relating to liquidated damages in contracts
- The commercial and legal problems associated with liquidated damages clauses
- Drafting effective liquidated damages clauses

Ⓞ CASE STUDY ANALYSIS

- Analysing poor drafting and how it can be improved to achieve a stronger and clearer outcome
- Review contracts and examine good and bad examples of contracts against the commercial objectives which the contract aims to support

RISK MANAGEMENT WITHIN THE CONTRACT

- How to design risk management processes for organisational contracting
- Assessing exposure from the contract
- Identification of appropriate clauses which can be used to manage risk, e.g. exclusion clauses, limitation of liability clauses, indemnities, 'best endeavours' clauses, jurisdiction clauses
- The judicial rules which govern the interpretation of risk management clauses in contracts
- Drafting tips to avoid the pitfalls of risk management clauses
- The legal rules applicable to jurisdiction clauses and how to ensure jurisdiction risk is controlled
- The management of risk associated with variations in contracts

Ⓞ PRACTICAL EXERCISE

Examination of insurance arrangements and indemnities

DISPUTE RESOLUTION

- The modern approach to dispute resolution
- The pitfalls and traps of dispute resolution
- Drafting a dispute resolution process for contracting
- How to ensure the collection and maintenance of appropriate documentation within the contract process
- The legal view of clauses which provide for dispute resolution

Ⓞ 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.
- This case study 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.

ABOUT THE EXPERT COURSE LEADER



Terry Reid

Terry has become renowned as one of this country's leading specialists in legal training. He has over 27 years experience as a barrister and solicitor and in the delivery of courses on a variety of legal topics, covering a wide range of audiences.

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.

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.

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CONTRACT LAW MASTERCLASS FOR NON-LAWYERS

All prices are exclusive of GST	Location	Course Dates	Super Early Bird price Valid until BRIS 10 Feb 17 PER 14 Apr 17 MEL 28 Apr 17 SYD 6 Oct 17	Early Bird price valid until BRIS 03 Mar 17 PER 05 May 17 MEL 19 May 17 SYD 27 Oct 17	Standard price valid after BRIS 03 Mar 17 PER 05 May 17 MEL 19 May 17 SYD 27 Oct 17	4+ Dels Discount
P17GL02BR	Brisbane	22-23 Mar 17	\$ 2,395	\$ 2,595	\$ 2,695	\$ 2,076
P17GL02PE	Perth	24-25 May 17	\$ 2,395	\$ 2,595	\$ 2,695	\$ 2,076
P17GL02ME	Melbourne	7-8 Jun 17	\$ 2,395	\$ 2,595	\$ 2,695	\$ 2,076
P17GL02SY	Sydney	15-16 Nov 17	\$ 2,395	\$ 2,595	\$ 2,695	\$ 2,076

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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.

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- 3. On-site training** is a cost effective way to train your people and achieve your defined outcomes.

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Speak with **James Do** on +61 (02) 9080 4454 to discuss your customised learning solution, or email training@informa.com.au

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