

Contract Excellence for Non -Legal Professionals Training

Description

Introduction

This course is intended to allow professionals and managers with a background other than law or contracts to better understand the processes and issues involved with contracting, and therefore improve their overall management skills. Every organisation relies on contracts to protect the interests of the company and manage risk effectively. It is imperative that everyone in the organisation understands the issues and processes involved in a contracting scenario.

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This course will feature:

- The benefits of understanding contracts
- How contracts can be developed
- Different contracting structures
- How contracts allocate and manage risk
- Examination of specific contract clauses

Objectives

- Recognise the structure and purpose of contracts
- Show how different structures can be used in different situations
- Improve the ability of managers to communicate with contracts personnel
- Illustrate some of the pitfalls that exist within commonly-used contract clauses
- Construct and control contract negotiations and management

Content

Day One

The Basis of Contracting

- Why we use contracts

- Legal requirements for a valid contract
- Oral contracts
- Electronic contracts
- Terms and conditions of the contract
- Authority to contract

Day Two

Risk and Different Contracting Types

- How to assess and manage risk
- Traditional contract types
- Modern contract types
- Bonds and Guarantees
- Letters of Intent
- Which Law?

Day Three

Major Contract Terms

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- Obligation to perform
- Defective goods
- Liability issues
- Indemnities and Insurance,
- Intellectual property
- Force Majeure

Day Four

Changes and Variations, payment and close-out issues

- Changes and Variations
- Payment issues
- Letters of Credit
- Warranty claims
- Suspension and Termination
- Contractual issues on close out

Day Five

Negotiation, Avoidance and Resolution of Disputes

- Negotiation, compromise and settlement
- Litigation
- Arbitration
- Mediation
- Expert Determination
- Dispute Review Boards

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