



# Advanced Contract Law in Practice

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

LIVE ONLINE TRAINING | 25 - 26 March 2024 | 26 - 27 August 2024



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



Informa Connect Academy is a World Commerce & Contracting Learning Partner.



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



Live Digital

**REGISTER NOW**

[www.informaconnect.com/academy](http://www.informaconnect.com/academy)

# Course Information

## Live Online Training

March 2024

Part 1

25 March

Part 2

26 March

1pm - 5pm AEDT

August 2024

Part 1

26 August

Part 2

27 August

1pm - 5pm AEST

## Key Learning Objectives

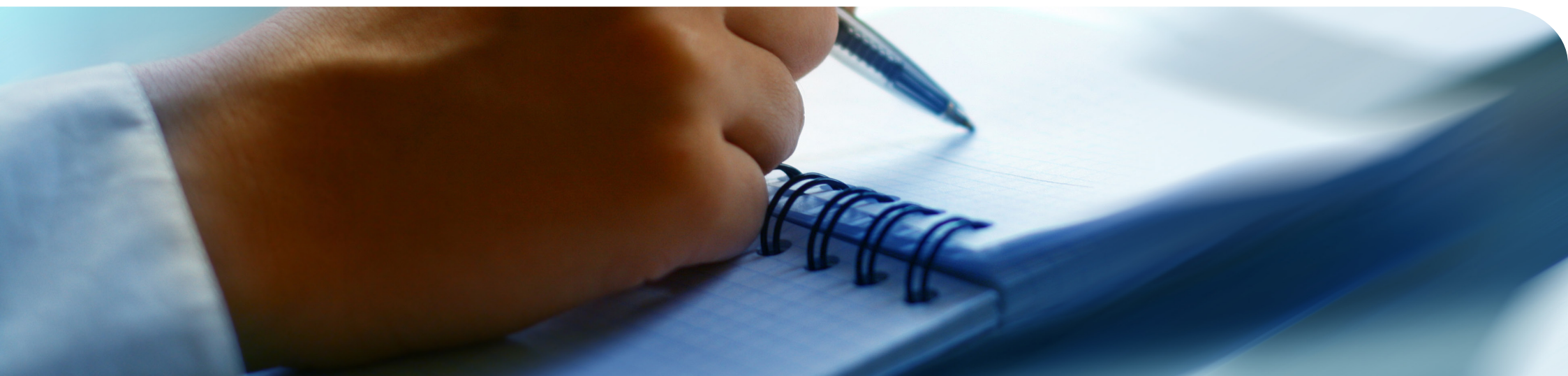
- Identify the legal issues that arise from using certain contract terms clauses
- Review select terms and conditions and identify when and where these should be used in contracts
- Examine and develop practical approaches to the following terms, conditions and clauses: indemnities, insurance, payment,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

## 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 or 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.'



# Course Information

## Meet Your Course Directors

### About the Course

Third in our contract law series and our CMP certification, this course is designed to demystify 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. Our advanced contract law 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.



### 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.



*"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**

*"More in-depth knowledge on contract law and details of the topics presented. The course manual is sufficient enough for me to use them as a reference in the future."*

**Commercial Optimisation Lead, Origin Energy**

*"The use of real life examples that explained in great detail the theory, helped solidify understanding of complex concepts."*

**Legal Assistant, PTTEP Australasia**

# 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 World Commerce & Contracting.

Contact us to see how we can help you: Visit [www.informaconnect.com/academy](http://www.informaconnect.com/academy), email [training@informa.com.au](mailto:training@informa.com.au) or phone +61 (2) 9080 4399.



Informa Connect Academy is a Learning Partner of the World Commerce & Contracting which is a not for profit association and the only global body promoting standards and raising capabilities in commercial practice.

## 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

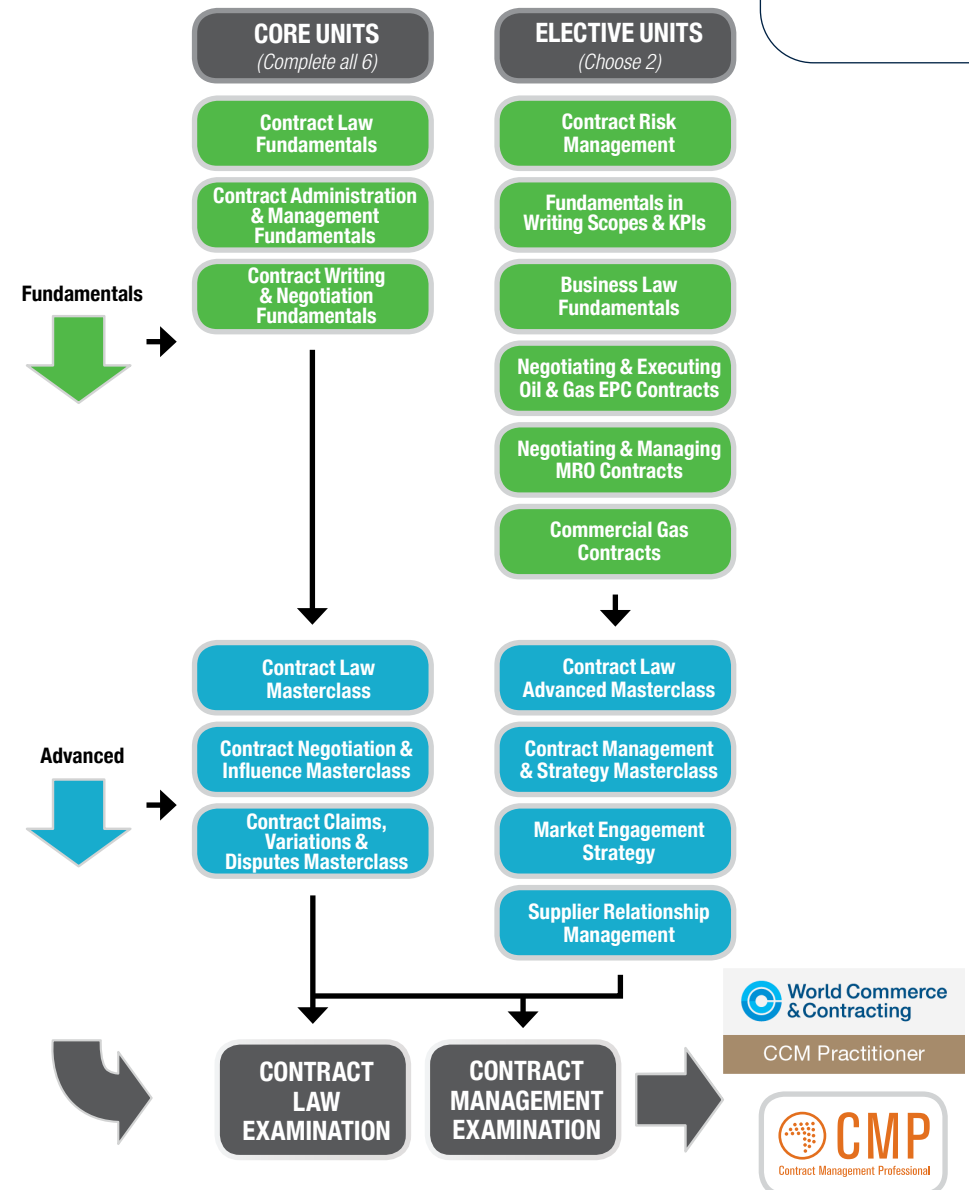
related undergraduate degree at Australian Universities. [www.iibt.wa.edu.au](http://www.iibt.wa.edu.au)

## THE IIBT / INFORMA CONNECT ACADEMY ALLIANCE

IIBT and Informa Connect Academy 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.**



# 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

Our Advanced Contract Law course underpins 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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## Easy Ways to Register



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+61 (02) 9080 4399



[training@informa.com.au](mailto:training@informa.com.au)

## Advanced Contract Law in Practice

Course Code	Location/ Format	Course Parts	Course Dates	Standard Price		<b>Great Savings:</b> When you book <b>4 or more</b> participants! <b>Call us</b> today on <b>+61 (2) 9080 4399</b> or email <b>training@informa.com.au</b> to take advantage of the discount offer.
P24GL06AU02V	Live Digital	All 2 Parts	25 - 26 March 2024	\$1,995 + \$199.50 GST	<b>\$2,194.50</b>	
P24GL06AUV	Live Digital	All 2 Parts	26 - 27 August 2024	\$1,995 + \$199.50 GST	<b>\$2,194.50</b>	

**Terms, Privacy Policy & Updating Your Details:** Please visit us at [www.informaconnect.com/terms-and-policies](http://www.informaconnect.com/terms-and-policies) for terms and conditions and privacy policy.

Database amendments can be sent to [database@informa.com.au](mailto:database@informa.com.au) or call **+61 (2) 9080 4399**.

## ABOUT INFORMA CONNECT ACADEMY

**Informa Connect**

# Academy

**Informa Connect Academy** is a premier provider of global education and training solutions that caters to a diverse range of professionals, industries, and educational partners. We are dedicated to promoting lifelong learning and are committed to offering learners expert guidance, training, and resources to help them stay competitive in a rapidly changing world.

Our comprehensive range of courses and programmes are tailored to meet the needs of all professionals, from aspiring specialists to seasoned experts. We partner with elite academic organisations and industry leaders with unmatched expertise in their respective fields to deliver an exceptional learning experience.

## ON-SITE & CUSTOMISED TRAINING

**Informa Connect Academy** 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 CONNECT ACADEMY?

- 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.

Speak with **Sushil Kunwar** on **+61 (2) 9080 4370** to discuss your customised learning solution, or email [inhouse@informa.com.au](mailto:inhouse@informa.com.au)



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