



# Contract Writing & Negotiation for Non-Lawyers

LIVE ONLINE TRAINING | 16 - 24 May 2024 | 7 - 15 October 2024

FACE TO FACE TRAINING | 27 - 28 June 2024 • Perth | 1 - 2 July 2024 • Sydney | 21 - 22 October 2024 • Canberra



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.



Attend In-Person or Live Digital

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# Course Information

## Live Online Training

16 - 24 May 2024	Part1	16 May	Part2	17 May	Part3	23 May	Part4	24 May	1pm - 5pm AEST
7 - 15 October 2024	Part1	7 Oct	Part2	8 Oct	Part3	14 Oct	Part4	15 Oct	1pm - 5pm AEDT

## Face to Face Training

PERTH	27 - 28 June 2024	SYDNEY	1 - 2 July 2024	CANBERRA	21 - 22 October 2024
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## Key Learning Objectives

- Learn how to write a contract while considering important elements, such as operational factors, risks and the cost/performance balance
- Develop a process to capture lessons learnt from previous contracts to apply now
- Interpret a contract that you may not have designed to determine what applies to your contracts and your negotiating position
- Ensure the contract design accurately reflects what is being procured and supports ongoing issues during the term
- Foresee the active management of the principal-contractor relationships when varying aspects like price, deliverables and extensions
- Understand the use or amendment of standard form contracts and contract schedules
- Modify and create clauses in clear, plain English that cannot be misinterpreted
- Understand ways to build and manage your bargaining power

## Overview

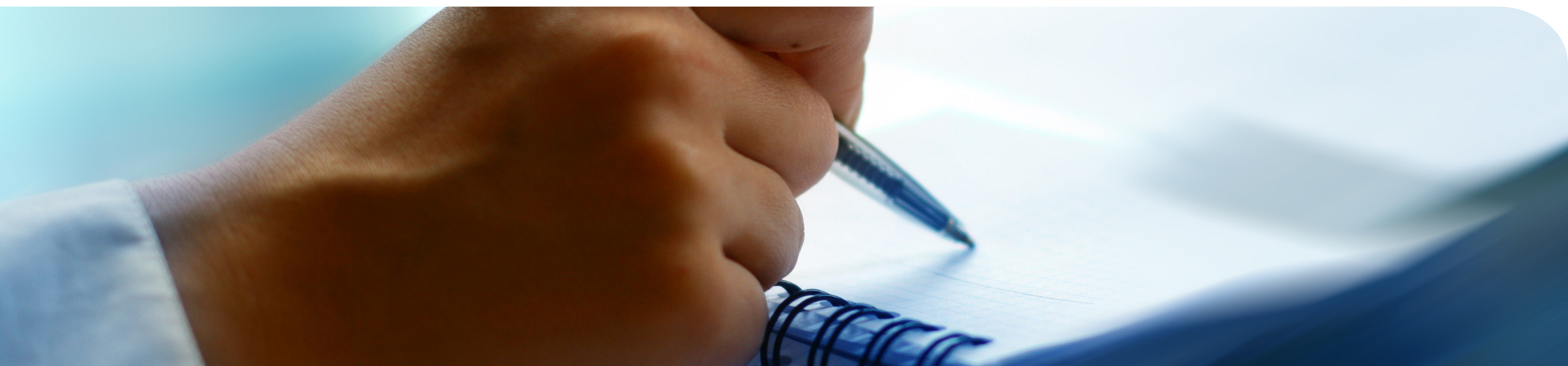
A Training in Contract Preparation Best Practices

A combination of 2 essential skills necessary to achieve the best commercial results in establishing contractual relationships:

- Negotiation skills to effectively navigate difficult topics & conflicting interests/priorities
- Clear communication skills to produce a clear & precise contract that minimises confusion & disputes

## Who Will Benefit

Second in our contract management CMP series, contract writing and negotiation for non-lawyers training is relevant for those involved with the administration or management of contracts, developing, drafting or negotiating contract terms and conditions or evaluating contracts in any industry sector. Knowledge of contract administration fundamentals is advisable, along with an understanding of contract law.



# Course Information

## Meet Your Course Directors

### About the Course

Negotiation and preparation and holding one accountable to a contract are the means by which businesses achieve their objectives. Two key ingredients to successful contract management are the negotiation of terms and conditions to match business outcomes and a robust, well-devised contract design process. This training provides an opportunity to learn how.

The course will assist contract managers to refer to and understand a contract that they may not have designed or negotiated, to determine the applicable conditions and their negotiating position.

Contract writing and negotiation for non-lawyers training will also illustrate how to make contracts relevant to the active management of the relationship between the principal and the contractor. This is applicable when needing to vary things such as price and deliverables, or proposing change when exercising options of extension.

You will learn how to combat tactics and tricks that are designed to unnerve you when negotiating terms, conditions, extensions and performance outcomes. Even if, as a contract manager you do not draft the contract documents, your input/briefing to the drafting team/legal staff is valuable and will be improved after this course.



**Beverley Honig** BA. LLB. MBA  
Chief Executive Officer  
Honeylight Enterprises Pty Ltd

Beverley Honig is an internationally qualified lawyer with over 30 years' experience in Australia, the United Kingdom and Middle East. A winner of The Australian Financial Review and Westpac 100 Women of Influence Awards, she is also listed in the Who's Who of Business in Australia and the Businesswomen Hall of Fame.

With her pre-eminent expertise in projects and contracts, she is the published author of several bestselling books, including textbook "Project Management: A Managerial Process (McGraw Hill, 15th edition), and "Making Contracts Work" (2010). Besides serving as a judge for the Essential Services Commission Appeals, Beverley is also a Board Director and Chairman of several public and private companies.



**Margaret Andrè**

In 2017 Margaret started her own legal practice after having worked in a boutique law firm that specialised in construction law matters. She has a general interest and sound knowledge of the building and construction sector and is experienced in dispute resolution processes including mediation, adjudication, arbitration and litigation.

Margaret has a strong customer focus and always strives to ensure she is able to add value to her client's business by utilising her wide network base to assist in meeting their needs. With an approachable manner and her flexibility to work with her clients in a timely and cost-effective manner, many of Margaret's clients are referrals from her existing or former clients.



*"I enjoyed learning about contract planning and interpretation and gaining a better understanding of contracts generally. The instructor was interesting and passionate about contracts. I particularly enjoyed the practical examples."*

**Electrical Engineer, Western Power**

*"Margaret was very accommodating with questions and group discussions conducive to work issues which were very helpful and productive in addition to the material presented."*

**Commercial Officer, AGIG**

*"[The instructor] is very knowledgeable in his field. He is the best trainer I've ever encountered. I'm very impressed! He was very knowledgeable and skilled in training delivery and communication. I learnt so much in two days. Very good content and excellent trainer"*

**Project Coordinator, Lucas**

# 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



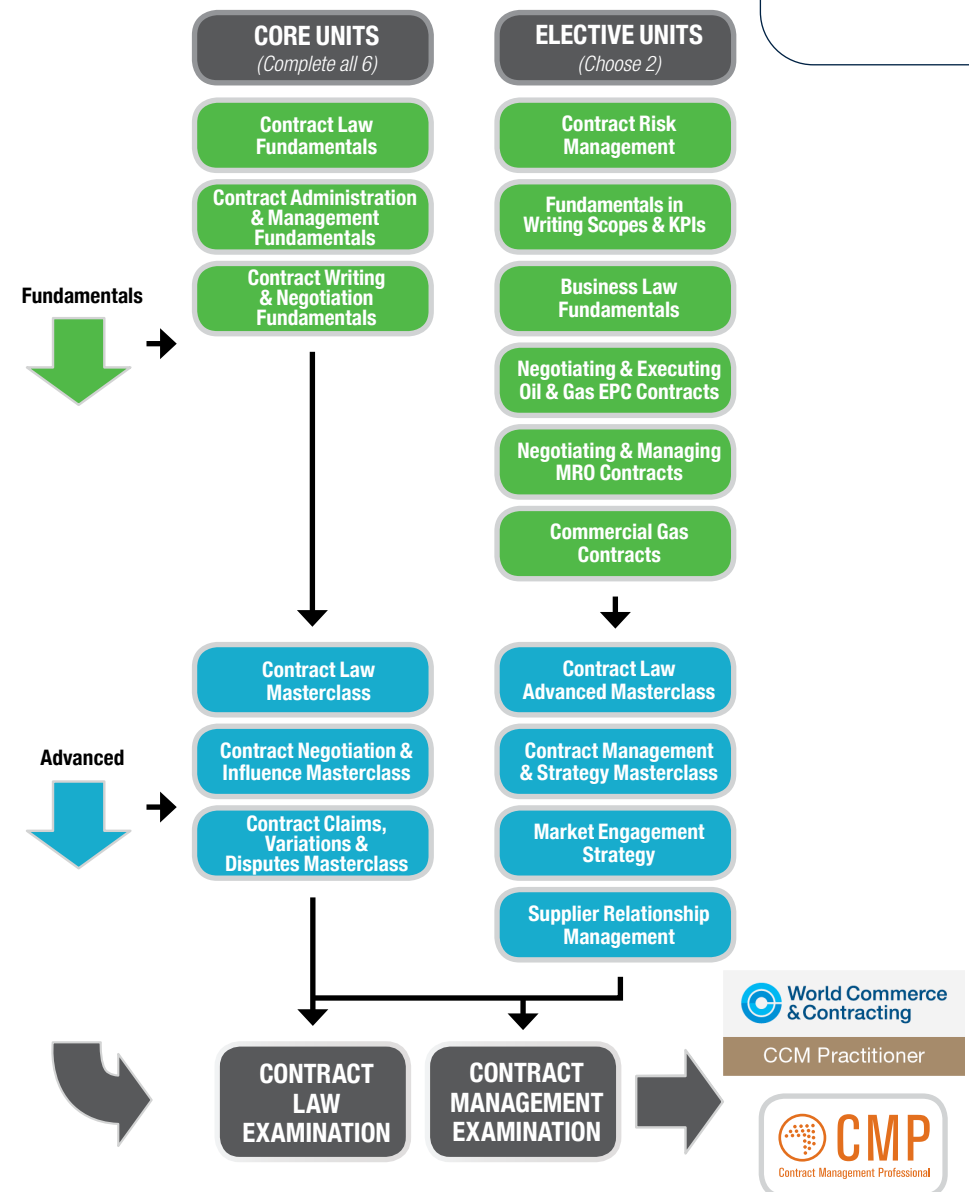
The International Institute of Business & Technology Aust (IIBT) is a highly respected, Government approved, Australian provider of higher education and VET programs. Their suite of programs includes a University level **Diploma of Business Administration**, equivalent to the first year of a business 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

## EXAMINING VARIOUS TYPES OF NEGOTIATION TO UNDERSTAND YOUR POWER AND INFLUENCE CAPABILITIES

- Position bargaining
- Cooperative bargaining
- Constructive negotiation
- “Getting to Yes”: Principled negotiation
- Separate the people from the problem
- Focus on interests, not positions
- Invent options for mutual gain
- Insist on using objective criteria
- Examples of how these techniques are used in practice

## DISCOVER THE SKILLS OF A STRONG NEGOTIATOR

- Integrity and reputation
- Communication skills and persuasion
- Frame of mind and creativity
- Consider how this could be adapted to your situation

## TACTICS AND TRICKS TO FAST-TRACK YOUR JOURNEY AND IMPROVE YOUR CONFIDENCE

- Helpful tips and negotiating tactics
- Miscommunication issues that often arise, how to foresee and address them
- Dirty tricks and how to combat them

## PROCEEDING TO AGREEMENT – YOUR ROLE AS A CONTRACT MANAGER

- Understanding your role as a contract manager in the negotiation process
- Closing the negotiation
- Documenting the agreement
- Follow up

## THE ROLE OF CONTRACTS IN THE COMMERCIAL ENVIRONMENT

- The purpose of contracts in business
- Why are they there?
- Why are they so important?
- What would happen if there wasn't a contract?
- Examples of effective and ineffective contracts
- Review the definition of a legal agreement
- Representations

## PRINCIPLES OF CONTRACTUAL INTERPRETATION

- Why clarity and precision in drafting is paramount
- Structure and formatting of commercial documents
- Examples of clauses that are clear and in plain English

## NATURE OF THE CONTRACT

- Subject of the contract
- Pricing mechanism
- Relationship between the parties

## CONTRACT STRATEGY AND PLANNING

- Determining your contracting strategy
- Capture lessons learnt from previous contracts
- Appreciate the importance of getting the design accurate
- Ensure the contract is designed to support any ongoing issues that may impact during the term such as default, termination and disputes
- Foresee the active management of the principal-contractor relationships when varying aspects like price, deliverables, extensions
- Understand the use and amendment of standard form contracts
- Assessing and amending standards – how they can be adapted to suit your goals

- Techniques in adapting and modifying existing clauses
- When and how to start from scratch

## PARTIES TO THE CONTRACT

- Principal, contractors, sub-contractors etc
- JV and partnering structures
- Legal entities
- Privity of contract

## PAYMENT & PERFORMANCE CRITERIA

- Developing a contract scope – understanding the big picture and key criteria to be included
- Performance provisions
- Consider operational factors and performance risks
- Payment provisions

## RISK, LIABILITY & INSURANCE

- Contractual risk allocation
- Warranties, indemnities, exclusions
- Consequential loss and contribution
- Insurance

## DEFAULT, TERMINATION & DISPUTES

- Default
- Termination
- Disputes

## GENERAL PROVISIONS

- Interpretative provisions and jurisdiction
- Administrative provisions
- Ownership and intellectual property

## CONTRACT CROSS-REFERENCING TECHNIQUES TO IMPROVE THE LINKAGE AND ALIGNMENT OF YOUR CONTRACTS

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## Easy Ways to Register



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## Contract Writing & Negotiation for Non-Lawyers

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.
P24GL05AUV	Live Digital	All 4 Parts	16 - 24 May 2024	\$2,495 + \$249.50 GST	<b>\$2,744.50</b>	
P24GL05AU02V	Live Digital	All 4 Parts	7 - 15 October 2024	\$2,495 + \$249.50 GST	<b>\$2,744.50</b>	

Course Code	Location/ Format	Course Dates	Early Bird price valid until PE - 7 Jun 24 SY - 14 Jun 24 CB - 4 Oct 24		Standard price valid after PE - 7 Jun 24 SY - 14 Jun 24 CB - 4 Oct 24		<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.
P24GL05PE	Perth	27 - 28 June 2024	\$3,195 + \$319.50 GST	<b>\$3,514.50</b>	\$3,495 + \$349.50 GST	<b>\$3,844.50</b>	
P24GL05SY	Sydney	1 - 2 July 2024	\$3,195 + \$319.50 GST	<b>\$3,514.50</b>	\$3,495 + \$349.50 GST	<b>\$3,844.50</b>	
P24GL05CB	Canberra	21 - 22 October 2024	\$3,195 + \$319.50 GST	<b>\$3,514.50</b>	\$3,495 + \$349.50 GST	<b>\$3,844.50</b>	

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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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