



Contract Law Fundamentals for Non-Lawyers

Build confidence around legal terminology & contractual obligations to help protect your commercial interests, assist in contract development & avoid disputes.



Attend In-Person or Live Digital

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



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

Course Information

Live Online Training	5 - 7 February 2024	1pm - 5pm AEDT	Face to Face Training	MELBOURNE	18 - 19 March 2024 15 - 16 October 2024
	18 - 20 June 2024	1pm - 5pm AEST		PERTH	21 - 22 March 2024 16 - 17 September 2024
	7 - 9 August 2024	1pm - 5pm AEST		SYDNEY	14 - 15 May 2024 26 - 27 November 2024
	2 - 4 October 2024	1pm - 5pm AEDT		ADELAIDE	21 - 22 May 2024 12 - 13 November 2024
	27 - 29 November 2024	1pm - 5pm AEDT		BRISBANE	3 - 4 June 2024
			CANBERRA	3 - 4 December 24	

Key Learning Objectives

- Examine and address current topical issues in contract law
- Review statutory and common law obligations that must be incorporated into contracts
- Develop processes to ensure contract objectives are delivered while mitigating risk
- Review a select sample of contract clauses to identify responsibility and liability
- Implement drafting changes that improve contract clarity and structure
- Discover how various contract clauses achieve maximum risk management by analysing drafting and testing techniques
- Understand and initiate a review of contractual governance in your organisation
- Design effective methods of dispute resolution and documentation collection

Who Will Benefit

- This practical fundamental course is relevant for ALL those who have dealings with contracts in their everyday business environment and is an excellent grounding for professionals new to dealing with contracts as part of their role - in any industry sector.
- This is for people with no or and very little understanding of contract law. It covers fundamentals, therefore, is designed to give people an introduction to contract law and how it fits into their daily contract management practice.
- People with many years of practical experience but no substantive knowledge of the law would find this course and our other commercial contract law courses very useful as it provides them with a framework in which to place their existing knowledge.
- People can also use this contract law course as a refresher if they have studied some law earlier in their career.



Course Information

About the Course

First in our contract law training courses and our CMP Certification, this course is designed to address the foundations of contract law in the workplace. This course will help you equip yourself to understand the legal advice you receive, interpret it correctly & generate true value for your business.

Commercial arrangements sealed with signatures or handshakes are part of daily life for most professionals, across all industries and sectors. They remain good business practices because they're built on enforceable principles of contract law. Yet with vaguely expressed contracts, unclear offers or acceptance, or even questions of consideration or undue influence, contractual disputes are still commonplace.

This course will explore such details as when you need a contract, what type of contract exists and the effect of statutory law on your contractual arrangements.

It covers the crucial ingredients required for a good contract, provides tips for understanding contractual material, and looks at the traps and pitfalls of contract drafting.



"I learnt completely new facts. Some existing views are completely changed and the examples presented may have significant effects when I'm able to apply to real life situations."

Contracts Officer, Optus

Meet Your Course Directors



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.



Beverley Honig BA. LLB. MBA

Chief Executive Officer
Honeylight Enterprises Pty Ltd

Beverley Honig is an internationally qualified lawyer with over 20 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 André

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.

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.

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

ABOUT IIBT



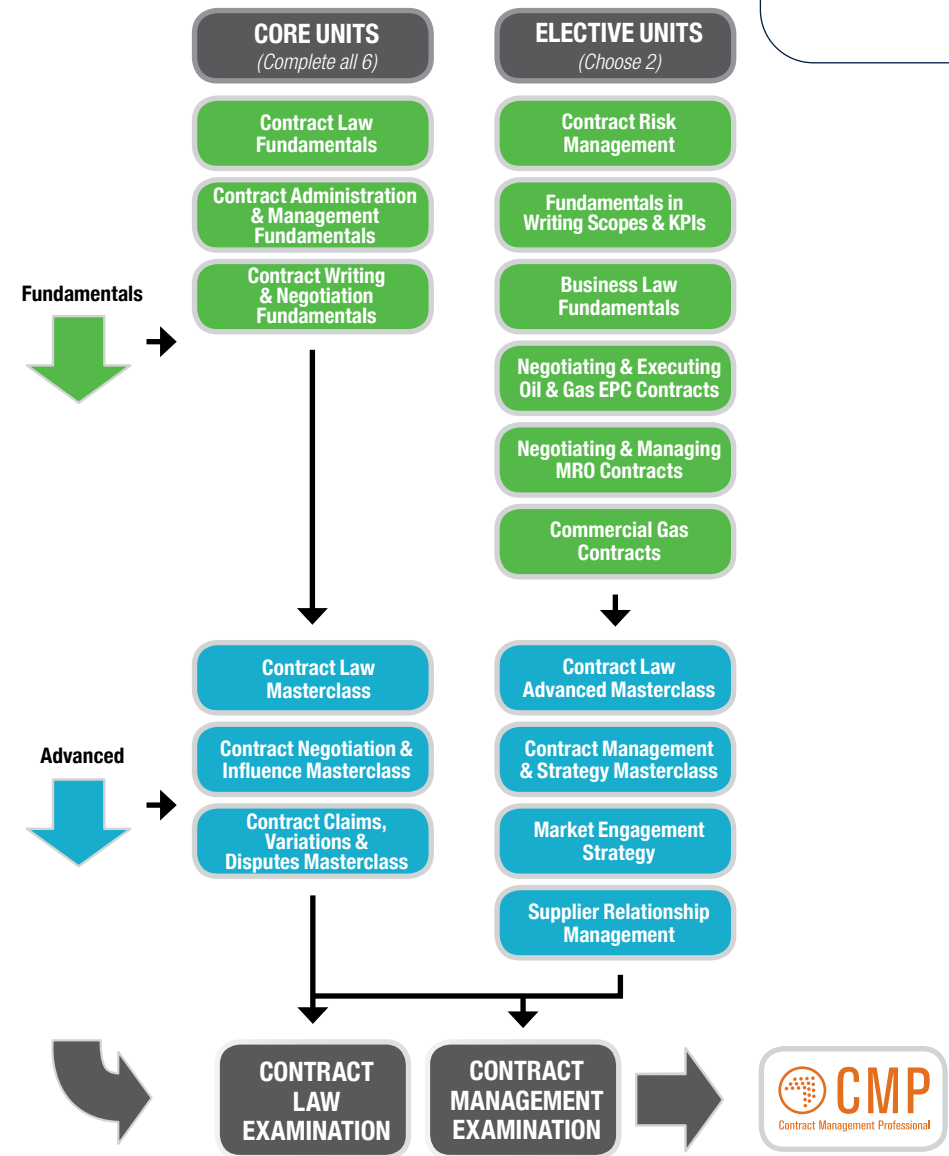
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THE IIBT / INFORMA CONNECT ACADEMY ALLIANCE

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

THE ESSENTIAL INGREDIENTS

- Offer and acceptance
- Consideration
- Intention – identify issues with Memoranda of Understanding, letters of intent and letters of comfort
- Certainty of terms – express and implied, agreements to agree
- Contingent conditions
- Consider the impact of ‘good faith’ requirements in contracting practice

Exercise: A practical problem which highlights how the formation process can lead to problems within an organisation.

CAPACITY ISSUES

- Rules relating to commercial entities
- Agency issues
- Statutory provisions
- Practical steps to overcome capacity issues

CREATING LEGAL CONTRACTS

- Do contracts always have to be in writing?
- Consequences of non-compliance
- Part performance
- Variations and the rules
- How do you sign a contract?

WHAT KINDS OF CONTRACTS ARE THERE?

- The real costs of “sloppy” contracts: learning from the mistakes of others
- Deeds vs. Agreements – what’s the difference?
- What are implied contracts?
- Standard form contracts and other express forms of contract
- Tenders and the legal issues which impact on the tender process

Exercise: A case study considering problems in a tender situation. This will involve designing a process which avoids the legal and commercial pitfalls in tendering.

CONSTRUCTING GOOD CONTRACTS

- Understanding the form and content of a contract
- What makes a good contract: details and consistency

- The advantages of ‘Plain English’
- Risk management in contract drafting: exemption clauses and limitations of liability
- Legal issues surrounding indemnities & warranties
- Consider the problems with intellectual property clauses and how to overcome them
- Minimising misunderstanding: traps and pitfalls with drafting clauses
- Tips for effectively reading contracts

Exercise: Examples of plain English drafting together with a case study which involves an approach to practical drafting.

ESTOPPEL – KNOWING WHEN & HOW TO USE IT

- What are the principles?
- Inducement and detrimental reliance
- Exploring when and how to use estoppel
- Estoppel in practice – discussion of case law
- Practical tips to manage estoppel in contracting practice

Exercise: Case study problem examining estoppel issues in a commercial setting

STATUTORY IMPACT ON CONTRACT LAW

- Trade Practices Act 1974
- Sale of Goods Act 1908
- Corporations Act 2001
- Workplace Relations Act 1996

SETTING ASIDE CONTRACTS

- Mistake
- Misrepresentation
- Misleading and deceptive conduct
- Fraud
- Duress and undue influence
- Unconscionability – statutory unconscionability

Exercise: This features a case study examining a contractual negotiation which leads to a contract but contains clauses based on misrepresentation and mistake. How the law will treat these statements and the impact for the contracting parties is discussed.

TERMINATION

- Types of termination
- Breach

- Repudiation
- Delay
- Consequences of affirmation and termination

REMEDIES FOR BREACH

- Injunctions
- Specific performance
- Cancellation
- Damages
- Actions for debt and relief against forfeiture
- Restitution
- Alternative dispute resolution

ASSESSING DAMAGES

- How and when damages are assessed
- What if the contract provides for the way damages are assessed?
- Liquidated damages and penalty clauses
- Reliance and expectation losses: damages resulting from “loss of a chance”
- Damages for disappointment, distress and psychological injury arising from breach of contract
- Matters affecting the recovery of damages: mitigation and contributory negligence

Exercise: This is a case study on damages together with drafting a liquidated damages clause which will avoid the legal pitfalls and encourage use and compliance by contracting parties

CONTRACTUAL ISSUES IN AN E-COMMERCE ENVIRONMENT

- The contractual implications of e-commerce
- On-line trading, encryption and electronic signatures
- Jurisdiction issues
- The impact of e-commerce on contractual practice

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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Easy Ways to Register



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Course Code	Location/ Format	Course Parts	Course Dates	Standard Price	
P24GL01AUV	Live Digital	All 3 Parts	5 - 7 February 2024	\$2,495 + \$249.50 GST	\$2,744.50
P24GL01AU02V	Live Digital	All 3 Parts	18 - 20 June 2024	\$2,495 + \$249.50 GST	\$2,744.50
P24GL01AU03V	Live Digital	All 3 Parts	7 - 9 August 2024	\$2,495 + \$249.50 GST	\$2,744.50
P24GL01AU04V	Live Digital	All 3 Parts	2 - 4 October 2024	\$2,495 + \$249.50 GST	\$2,744.50
P24GL01AU05V	Live Digital	All 3 Parts	27 - 29 November 2024	\$2,495 + \$249.50 GST	\$2,744.50

Great Savings:

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Course Code	Location/ Format	Course Dates	Early Bird price valid until		Standard price valid after	
			ME - 1 Mar 24 PE - 1 Mar 24 SY - 26 Apr 24 AD - 3 May 24 BR - 17 May 24 PE02 - 30 Aug 24 ME02 - 27 Sep 24 SY02 - 8 Nov 24 AD02 - 25 Oct 24 CA - 15 Nov 24			
P24GL01ME	Melbourne	18 - 19 March 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01PE	Perth	21 - 22 March 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01SY	Sydney	14 - 15 May 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
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P24GL01BR	Brisbane	3 - 4 June 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01PE02	Perth	16 - 17 September 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01ME02	Melbourne	15 - 16 October 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01SY02	Sydney	26 - 27 November 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01AD02	Adelaide	12-13 November 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50
P24GL01CB	Canberra	3 - 4 December 2024	\$3,195 + \$319.50 GST	\$3,514.50	\$3,395 + \$339.50 GST	\$3,734.50

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