

Course Overview:

The law and regulations governing business and contract law are increasingly complex and now affect all industries and every type of commercial agreement, from entering into a contract to validity of purchase conditions. If you are involved in commercial contracting or dealing with external parties at any level, you need to grasp the practical legal implications of these relationships to ensure you do not expose your organisation to unnecessary risk. You will also need to protect your company from litigation and anticipate legal pitfalls.

This programme combines up-to-date commercial law with practical methods of translating this law into documentation. It identifies and analyses the different types of contract and how the various statutes affect them, ensuring that you fully understand the impact of current legislation and case law, and looks at how Brexit may affect your contracts. By the end of the course you will be able to recognise and deal confidently with the risks and benefits of commercial contracts.

Course Objective:

- Understand principles and practices of contract law
- What is a contract and how is it different from an agreement?
- Understand when a contract is formed.
- Reduce the chances of contract pitfalls
- Improve awareness of their own actions
- Negotiate from a position of strength

Course Outline:

Effective Contract Negotiation

- Preparing for negotiation
- Developing winning strategies
- Objectives and aligning to strategy
- Understanding the rules of negotiation and culture
- Key negotiation behaviours and communication skills
- Mapping routes to agreement

Formation of a Binding Contract

- What is a contract?
- Making a binding and enforceable contract
- Six components
- Offer
- Acceptance
- Deeds

Tools, techniques and terminology when creating a formal contract

- Pre-contract pitfalls
- Informal contracts
- Standard terms
- Letters of intent
- Memorandum of understanding
- Enforceable contracts

Getting to grips with how the law changes what you thought you had agreed to

- What are implied terms and where do you use them?

Training Language:

English-Arabic

Training Methodology:

This is an interactive course. There are open question and answer sessions, regular group exercises and activities, videos, case studies as well as presentations on best practice and the fundamentals of reliability improvement. Participants have the opportunity to share examples from their own experience and work with the facilitator and other participants to develop actions for improvement.

Venue | Date | Fees

Khobar | 15-10-2023 | 17,250 SAR

- Working within government restrictions
- What is good faith and making it benefit your organisation

- Misrepresentation
- International convention

Managing the Contract

- Payment mechanisms
- Contract
- Service levels
- Audit rights
- Dealing with change
- Delegation
- Contract programme and governance
- Change management

Including constructive performance obligations

- Specific performance
- Condition precedents
- Liquidated and ascertained damages
- Delivery
- Force majeure
- The doctrine of frustration

Bribery and Corruption

- The Bribery Act
- General and corporate offences
- Bribing foreign officials
- Enforcement and penalties
- Key issues for companies

When things go wrong and defences to breach of contract – limit contractual risk and damages for your organisation

- Identifying the areas of potential claims
- Examining claims in contract
- Examining claims in tort
- What are the claims under other headings?
- Insurance
- Exclusion and limitation of damages
- Breach of contract
- Damages

Termination and dispute resolution

- Duration
- Liquidation
- Change of control
- Drafting key provisions to minimise the risk of disputes
- Governing law
- ADR clauses

-Arbitration or litigation

Practical drafting exercise

In this session participants will practise drafting contract terms and receive practical advice and guidance on how they can develop in this area.

Some typical agreements

This session will review the terms and conditions of some typical agreements to illustrate how to avoid the legal pitfalls and challenges faced.

-Service

-Supply

-Manufacture

-Licensing

Practical workshop: Drafting and understanding boilerplate clauses with sample clauses and pointers

-General provisions

-Confidentiality

-Costs

-Assignment

-Notices

-Law of the contract

Who Should Attend:

-Contract and commercial managers and engineers

-Sales and marketing managers

-Project and procurement managers