Contract Excellence for Non-Legal Professionals Course

22 – 26 March 2027
Vienna (Austria)



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Introduction:

Every organization's commercial and business structure is fundamentally grounded on the bedrock of contracts, ranging from straightforward purchase orders or verbal agreements to the labyrinthine complexity of intricate financing arrangements. The formation, negotiation, and management of these contracts often fall under the purview of specialized professionals.

However, those in charge of ensuring the delivery of products, services, or projects—typically general managers—may not understand the complexities of the contractual documents. This contract excellence for non-legal professionals course aims to provide professional managers from non-legal backgrounds with a robust understanding of the contract processes and inculcated issues, thereby amplifying their management acumen.

Understanding Contracts for Non-Legal Professionals

In the complex domain of contract law, which forms the pivotal axis around modern commercial transactions, non-legal professionals need to understand the principles and practices governing contract law.

This comprehensive contract excellence for non-legal professionals course imparts knowledge and skills related to basic contract law for nonlawyers, specifically targeting those seeking business contract law courses.

By delving into the intricacies of an international contract law course and offering certification through a contract law certificate course, participants are empowered to engage more effectively in dealing with contract law, irrespective of their geographic or sector-specific milieu.

The curriculum bridges the gap between business acumen and legal provisions by emphasizing essential contract law for non-legal professionals. The harmonious integration of legal contract management courses within this program ensures that learners have the prowess necessary for adept legal contract management, often sought in various industries.

Legal contract training courses, often seen as being reserved for legal practitioners, here are uniquely tailored to cater to the needs of nonlawyers, stripping away the esoteric legal jargon to present clear, accessible modules that encapsulate the essence of contract law courses for nonlawyers. This symbiotic confluence of business insight and legal proficiency furnishes non-legal professionals with the tools to navigate and negotiate the complexities of corporate contracts confidently.

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Targeted Groups:

- Project or construction professionals.
- Tenders, contracts, buyers, purchasing, financial personnel.
- Individuals from a project management or general management background.
- Those new to the function or preparing for a major project or contract.

Course Objectives:

Participants in the contract excellence for non-legal professionals course will conclude this course with an enhanced:

- Comprehension of contract structure and intrinsic purpose.
- Recognition of how different structures are suitable for diverse situations.
- Capability to interface and convey directives to legal and contract personnel effectively.
- Insight into the potential pitfalls within commonly utilized contract clauses.
- Understanding of the impetus behind contract utilization and the pathways to their formulation.
- Exploration of varying contracting structures, focusing on their approach to allocating and managing risks.
- Critical examination of significant contract provisions, delving into their meticulous drafting and the pitfalls of inadequate management.

Targeted Competencies:

At the end of this contract, excellence for non-legal professionals course, the target competencies will be able to improve the following:

- Risk identification and adept management.
- Proficiency in interpreting legal and contractual terms.
- Finesse in contract management.
- Project management interfacing with contractual elements.
- Astute negotiation skills.
- Adroitness in dispute resolution.

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Course Content:

Unit 1: The Basis of Contracting:

- Why do we use contracts?
- How are contracts formed?
- Legal requirements for a valid contract.
- Oral contracts.
- Electronic contracts.
- Incorporating other documents by reference.
- Terms and conditions of the contract.
- Authority to contract.
- The role of agents.
- Proving authority.
- Methods of signing, seals, and chops.
- Internal contracts within a Group - some dangers from ignoring the need for formal arrangements.

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Unit 2: Risk and Different Contracting Types:

- Different types of risk.
- How to assess and manage risk.
- Commercial risk within the contract.
- Risk of damage.
- Use of ICC Incoterms to determine when risk passes.
- Other risks.
- Selecting appropriate contract types.
- Traditional.
- Lump-sum.
- Bill of quantities/schedule of rates.
- Reimbursable.
- Hybrid.
- Fixed fees.
- Economic price adjustment clauses.
- Escalation.
- EPC/turnkey.
- Convertible LSTK.
- Build operate transfer.
- Alliance/partnering.
- No cure and no pay.
- Bonds/Bank guarantees.
- Parent company guarantees.
- Letters - intent; instruction/award; comfort; awareness.
- Side letters.
- Which law?
- Which courts?
- Non-traditional.
- Collateral documents.
- Law.

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Unit 3: Major Contract Terms:

- Obligation to perform.
- Testing and acceptance/rejection.
- Defective goods.
- Patent and latent defects.
- Limits of liability.
- Consequential loss.
- Overall caps.
- Connection with negligence.
- Liquidated damages and penalties.
- People.
- Property.
- Indemnities - what they mean and why they are important?
- Ownership of existing rights.
- Ownership of rights created under the contract.
- Dealing with claims of breach.
- Insurance and how this links with indemnities.
- Intellectual property.
- Warranty and rework.
- Force majeure.
- Notices.
- "Entire Agreement" clauses.
- Implied terms - some examples.

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Unit 4: Legal Aspects of a Contract and its Relation to Changes, Variations, and Payment and Closeout Issues:

- Changes to the contract terms "Amendments".
- Changes to the scope of work "Variations"
- Keeping control of change - and examples of what happens when you get it wrong.
- Impact of variations.
- Cost.
- Delay.
- Responsibility.
- Extension of time.
- Payment.
- Amount.
- Timing.
- Method of payment.
- Risk in international trade.
- Letters of credit.
- Warranty claims.
- Set Off and contra charges.
- Suspension and termination.
- Contractual issues on closeout.

Unit 5: Negotiation, Avoidance, and Resolution of Disputes:

- Negotiation, compromise, and settlement.
- Traditional approaches to third-party resolution.
- Litigation.
- Arbitration.
- Alternative dispute resolution.
- Mediation.
- Conciliation.
- Mini-arbitration.
- Expert determination.
- Early neutral evaluation.
- Pendulum arbitration.
- Dispute review boards.
- Good record-keeping and notices.