

# **LEGAL AWARENESS ON CONTRACTUAL COMMITMENTS**

## **( Three Days)**

**Prof. Michael Furmston**

### **COURSE OVERVIEW**

This course reviews the main units constituting modern business contracts. The main objective of including each unit and the different clauses are thoroughly discussed. It builds an understanding and an advanced level of awareness about the different commitments in modern contracts. Each session will last 1 ½ hours but will include a substantial amount of interaction and workshop type activity.

### **WHO SHOULD ATTEND**

Managers, Staff of Procurement departments, Lawyers, Project Managers, and staff involved in contract negotiation.

### **DELEGATES WILL LEARN:**

#### **SESSIONS 1 AND 2**

##### **REQUIREMENTS OF A CONTRACT**

- Agreement
- Offer and Acceptance
- Place of Writing

#### **SESSIONS 3 AND 4**

##### **PROBLEMS OF GETTING TO A CONTRACT**

- Complex negotiations
- Letters of Intent
- Can an incomplete agreement be a contract?
- Authority of those who negotiate contract

#### **SESSION 5**

##### **SOME COMMON CLAUSES**

- Choice of Law
- Choice of Jurisdiction
- Arbitration
- Language
- “Whole contract” clauses

#### **SESSION 6**

##### **PAYMENT AND PRICE**

- Definition of Price
- What does price include? (Packaging, testing)
- Provisions for varying price
- Payment obligations
- What to do if payment is late

#### **SESSION 7**

##### **DELIVERY**

- Place
- Delivery in instalments
- Partially defective deliveries
- Late deliveries

#### **SESSION 8**

##### **QUALITY OF GOODS**

- Definition and Description of Goods
- Express requirements
- Implied requirements
- Fitness for purpose
- Guarantees
- Excluding and Limiting Clauses