

CLT In House Training and Professional Consultancy

Contract Law for Commercial Managers



Commercial personnel in corporate organisations deal with a variety of business contracts in their roles and need an understanding of the core elements of contract law as it applies to those contracts. They also need skills in negotiating the key terms to create and enhance successful business relationships.

CLT, a leading provider of legal training, through its In-house training division, works with corporates and commercial organisations of all sizes, including multinationals, to train and equip commercial and contract managers, procurement

teams and commercial personnel from a variety of backgrounds, with a practical understanding of contract law and the main elements of commercial contracts, as they relate to their industry or services sector.

The training is delivered conveniently and cost-effectively at clients' premises, by expert presenters, who tailor the content to your contracts and business areas and use engaging and interactive teaching methods to achieve the best learning outcomes for your company.

Below is an outline of a typical course (which can be tailored) covering the main areas of contract law and negotiation that commercial personnel need to get to grips with.

If you would like to work with CLT to enhance your staff's commercial acumen and improve your business as a result, please call Karen Battersby on 0121 362 7707 to discuss your training requirements further or to obtain a quote for the range of contract law and other legal training we provide for corporates. Our expert legal training consultants will also be happy to meet with you at your premises to discuss your needs and draw up tailored training programmes for you.

Outline of Content

The training examines key stages of the contractual process in which commercial personnel can become involved from initial negotiation to contract performance, and what happens if things go wrong or the contractual relationship breaks down.

Before the Contract

- Supplier or customer: same issues - different perspective
- Risk analysis - introduction
- Work in anticipation of a contract
- Offer and acceptance
- Tenders and quotes (including an overview of EU procurement law)
- Keeping a record of negotiations
- Who signs - have they got capacity?

Contract Performance: Obligations and Specification

- Why they are important to the contract?
- Different types of contractual clauses: conditions, warranties, representations
- How to measure and monitor performance
- Key performance indicators
- Guarantees and indemnities: how do they relate to performance?
- Timing and delay - are you entitled to amend the contract?
- Unavoidable delay
- Variation and modification: traps to avoid
- Evidence and audit trail
- Quality assurance
- Delivery obligations - do you accept or reject?

Dealing with Defective Performance

- What amounts to a breach of the contract?
- Termination and liability clauses
- Non-contractual liability
- Different 'types' of breach
- Different outcomes and remedies
- Ending the contract due to the other party's default
- Prompt active contract management - how it can help

Loss and Limitation of Liability

- What constitutes 'loss' under a contract
- Special, consequential, indirect losses - what do they mean?
- Negligence, product liability and other third party claims
- Insurance
- Caps and limits of liability
- Liquidated damages - what are they?
- Protection and leverage in negotiation: key clauses
- Re-visiting the risk analysis

Intellectual Property

- What is intellectual property?
- Copyright and trade marks
- Design rights and patents
- Know how and confidential agreements
- Licensing intellectual property
- Confidentiality and non-disclosure

Compliance with Regulations

- Auditing outsourcing and procurement
- Tenders and value for money
- EU / Non EU procurement law technicalities
- Transferring employees
- Anti-bribery policies

Would your firm benefit from:

- Cost effective training delivered at your firm
- First class speakers with practical experience
- Innovative and cutting edge courses
- Bespoke programmes
- Free consultancy and training needs analysis
- Full account management and administrative support for all in house course programmes

Then contact our In House Team on:

Call: 0121 362 7707

Email: inhouse@clt.co.uk

Visit: www.clt.co.uk/CLT-in-house

Prefer to receive this by email?

Email **the In House team** with your details at inhouse@clt.co.uk

