

NATIONAL CONTRACT LAW SUMMIT

Addressing the impact of the legal framework on contractual and procurement performance,
and managing risks in contracts and procurement

Key discussion highlights

- ✚ Process and legal requirements in contracts development
- ✚ Key essentials in contract formation from the perspective of offer and acceptance
- ✚ What are the risks of terminating contracts after acceptance
- ✚ Recent developments in managing risks during the tender process
- ✚ Key fundamentals and common mistakes in contract negotiations
- ✚ Mitigating risks by applying principles of probity in procurement
- ✚ Managing insurance arrangements and indemnities in commercial contracts
- ✚ New technique in dealing with the risks associated with procurement fraud
- ✚ Common mistake and risks in inappropriate management of a contract breach
- ✚ Key mistakes and pitfalls in contracts management and the subsequent risks
- ✚ Factors to consider before outsourcing a particular business function
- ✚ Practical strategies and solutions in managing legal and business risks in outsourcing
- ✚ Best practice contracts administration for project success

Why to attend this summit?

- ✚ Proven track record nationally when successfully held in all major locations
- ✚ Excellent rate of attendance and good will over the years
- ✚ Excellent and diverse mix of national and local speakers
- ✚ Sessions are practical and developed to offer strategic solutions that are contemporary and relevant
- ✚ The agenda is developed from the feedback of attendees from both the private and public sector that deal with these issues on a daily basis

Who Should Attend?

Directors, Senior Managers, Managers, Officers and Advisors involved with:

- *Contracts
- *Procurement
- *Legal advisory roles
- *Supply
- *Commercial
- *Category Management
- *Vendor Management
- *Risk Management

3 EASY WAYS TO REGISTER!

TEL: (02) 95807327 FAX: (02) 9585 2094. Email: info@learningnetworks.com.au

Developed and Organised By: **LEARNING NETWORK SOLUTIONS**



Overview of the summit

After successful summits in Sydney, Brisbane, Melbourne and Canberra, *Learning Network Solutions* is proud to present this 2 day National Summit in Perth. Backed by a vibrant and diverse speaking panel, the summit will address the current issues and challenges facing contracts and procurement management professionals and offer practical solutions and strategies.

The central theme of the summit is the impact of the legal framework on the performance of contracts management and managing risks in contracts and procurement. The conference will explore the critical issue of managing and mitigating risks in contracts and will address key strategies and solutions in managing and mitigating risks in various stages of a contract.

We are also very pleased to include an executive master class session at the end of the summit facilitated by Ed Blow. All attendees can attend this master class session within the summit registration. Excellent team discounts and early bird offers also available and mentioned on the registration page of this brochure.

Program Agenda

Day1, Tuesday, 3rd April 2012

8.30 - 9.00: REGISTRATION AND TEA ON ARRIVAL

9.00 - 9.10: OPENING REMARKS BY THE CHAIR

Joe Siracusa, Principal, Siracusa Legal

9.10-10.10

SESSION 1

PRACTICAL AND LEGAL CONSIDERATIONS IN CONTRACT DEVELOPMENT

- What is contractual construction and how is this relevant to developing and drafting contracts?
- What legal and process requirements apply?
- What approach to the market and contract structure and templates should be used?
- Key tips and strategies in developing effective, practical, successful contracts
- Common mistakes in contract development and
- Practical tips and strategies to avoid these

Liz Allnutt, Partner, Norton Rose

10.10 -10.30: NETWORKING TEA BREAK

10.30-11.30

SESSION 2

KEY ESSENTIALS IN CONTRACT FORMATION – OFFER AND ACCEPTANCE

- What is an Offer and how it is viewed from a legal context
- Key issues in withdrawing from an Offer
- Termination of an Offer – how does an Offer come to an end
- What is Acceptance and when does it take place
- Terminating contracts after Acceptance
- What are the risks?

Daniel Zador, Senior Associate, Freehills

11.30 -12.30
SESSION 3

MANAGING RISKS DURING THE TENDER PROCESS

- What are some common legal risks in tender or other competitive selection processes?
- Is government a special case?
- How can these risks be managed in a practical way?
- What are some of the recent legal developments in this area?

Joe Siracusa, Principal, Siracusa Legal

12.30 -1.30: NETWORKING LUNCH BREAK

1.30 -2.25
SESSION 4

STRATEGIC & LEGAL ASPECTS OF NEGOTIATIONS IN A CONTRACT MANAGEMENT PROCESS

- When does a negotiation process start and when does it end
- Key fundamentals and common mistakes in negotiations
- What constitutes a faulty negotiation
- Pros and cons of a bilateral negotiations
- How risks can be managed through robust and strategic negotiations

Chris Scott, Special Counsel, Middletons

2.25 -3.20
SESSION 5

MANAGING INSURANCE ARRANGEMENTS AND INDEMNITIES IN COMMERCIAL CONTRACTS

- The concept "Risk"
- Classification of insurance and overview of common insurance policies in business
- Triggers of cover and indemnity
- Drafting fundamentals
- Subrogation, cross liability, dual insurance and interest notification

Riaan Piek, Special Counsel, Norton Rose

3.20 -3.40: NETWORKING TEA BREAK

3.40 -4.40
SESSION 6

HOW TO HANDLE A CONTRACT BREACH AND WHAT ARE THE POTENTIAL REMEDIES AND OTHER OPTIONS AVAILABLE

- What is a contract breach and examples of contract breaches
- How does the law view the issue of contract breach
- How to manage a contract breach scenario
- Remedies for contract breach
- What are some common mistakes in managing a contract breach
- Terminating a contract due to contract breach: what are the risk factors to take into account?

Bree Ludlow, Senior Associate, Blake Dawson

4.40 -5.00: SUMMING UP AND CLOSE OF DAY 1

8.45 – 9.15: REGISTRATION AND TEA ON ARRIVAL

9.15 – 9.30: OPENING REMARKS BY THE CHAIR
Ed Blow, Director, E&S Consultants

9.30-10.30: SESSION 7

MANAGING LEGAL AND BUSINESS RISKS IN OUTSOURCING

- Challenges of outsourcing and planning for success
- Factors to consider before outsourcing a particular business function
- Legal considerations and risks in outsourcing
- Mistakes learned and the way forward

Nadia Mansour, Special Counsel, Wrays Lawyers

10.30-10.50: NETWORKING TEA BREAK

10.50-11.50: SESSION 8

MANAGING PROBITY RISKS IN PROCUREMENT

- What is probity and what are the key principles of probity
- Practical applications and relevance to contracts and procurement
- Probity in the commercial world
- Does it work and why?
- Role of a probity advisor

Natalie Rigg, Senior Associate, Squire Sanders

11.50 -12.50: SESSION 9

MANAGING RISKS OF PROCUREMENT FRAUD

- Procurement fraud – is the risk real and who is at risk?
- Real world examples of fraud in contracts and procurement
- Methods of detection and preventative measures

Andrew Baldwin, Account Director Risk Services, Deloitte Touche Tohmatsu

12.50-1.55: NETWORKING LUNCH

1.55 -4.50: MASTER CLASS SESSION – Facilitated by Ed Blow, Director, E&S Consultants

CONTRACTS MANAGENT ESSENTIALS – MANAGING RISKS, DISPUTE RESOLUTION AND BEST PRACTICE IN CONTRACT ADMINISTRATION

This executive master class will be facilitated by Ed Blow who is internationally recognised as an authority on project management and scheduling. Ed has over 35 years experience in engineering and management roles in international and national projects including roles in contract management, due diligence, dispute resolution and risk management. Ed has worked in a wide range of industries, including water and wastewater, construction, power generation and transmission, defence, petrochemical and open cut mining.

This workshop will address a raft of key issues in contract administration including risk management, performance based contracting, dispute resolution, claims control, scope creep avoidance and other critical factors in contract administration. The master class will focus on delivering practical strategies in risk mitigation, dispute resolution, lessons learnt and discuss ways of overcoming commonly occurring stress points in contract management.

4.50-5.00: SUMMING UP AND CLOSE OF THE SUMMIT

NATIONAL CONTRACT LAW SUMMIT

2 days: 3rd & 4th April , Holiday Inn Perth City Centre

REGISTRATION FORM

***Register By:

Tel: (02) 95807327

Fax: (02) 9585 2094

Email: info@learningnetworks.com.au

INVESTMENT TOTAL:

Register for the 2 day Summit:

- Register by 27th January - Early Bird Offer: \$ 1850+ GST : (\$2035)
 Register from 28th January to 20th February : \$2050+ GST : (\$ 2255)
 Register after 20th February: \$ 2250 + GST : (\$2475)
-
- Register for Day 1 or Day 2 at any time: \$ 1200 +GST : (\$1320)

First Delegate: **Day 1** **Day2**

Name _____
Position _____
Email _____

Second Delegate: **Day 1** **Day2**

Name _____
Position _____
Email _____

Third Delegate: **Day 1** **Day2**

Name _____
Position _____
Email _____

Organisation: _____

Address: _____

Telephone: _____ Fax: _____

Sign: _____

- *Invoice shall be sent after receipt of the registration
* Please make payment prior to the event
* Cheques made payable to *Learning Network Solutions*

Please debit my:

Visa **Amex** **Master card** **Bankcard**

Card Number: _____

Expiry Date: _____

Cardholder's Name: _____

Continuous Professional Development

If this summit is relevant to your ongoing legal professional development, you may claim one unit for each hour of attendance. Refreshment breaks are not included in this hour.

Venue

Holiday Inn Perth City Centre
778-788 Hay Street, Perth, WA 6000
Tel: 08 92617200

Documentation

Conference documentation provided by speakers will be supplied to delegates at the venue.

Team Discounts: (Only 1 Discount Applies)

- Register 3 delegates and receive a free pass for the 4th delegate
- Register 5 delegates and receive a free passes for the 6th and 7th delegate
- Please contact us for a customised package for your team

Lunch

Lunch and refreshments will be provided at the event. Please advise us if you have any special dietary requirements

Privacy Statement

We do not have mailing lists and we do not share your contact information with any external agency. Information supplied by you may be only be to provide you with further information about our events

Cancellation Policy

Cancellations made 2 weeks prior to the event will receive complete refund. If cancellations are done within 2 weeks of the program you are liable to make full payment and no refund can be made. We will issue you a credit note that could be used to attend any of our future events of the same amount. If event is not held due to any reason, our liability is limited to the event fee only. In any event our liability is limited to the event fee only.

Program Changes

We reserve the right to make changes in the program, the venue and the panel of speakers.

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