

CONTRACT LAW (IN ENGINEERING MANAGEMENT) WORKSHOP



DR. PETER TOWSON

BE(UNSW) MEngSc(UNSW)
MIEAust CPEng LLM(Syd) SJID(UTS)
PhD(Syd)

- Engineer and a Solicitor with over 50 years of experience in both areas.



PAUL UNO

BE MBdgSc MIEAust CPEng NER
RPEQ

- Over 40 years of experience including expert witness for legal firms.

Face-To-Face (SYDNEY)
Rydges Norwest
(1 Columbia Ct, Baulkham Hills)
R Y D G E S
NORWEST

WORKSHOP SUMMARY

This workshop has been specifically designed for Engineering and Building Construction professionals to assist them in understanding the key elements of Contract Law in respect to their workplace requirements in accordance with AS4000-1997 General Conditions of Contract AS2124-1992.

With an emphasis on dispute and risk management, negotiation and drafting skills, the workshop will give non-lawyers the legal understanding they need to prevent devastating costs to their organisation or themselves.

If you provide consulting services or manage any construction projects, then this Contract Law workshop is a must attend event.

PROGRAMME (8.30 - 9.00 Registration)

9.00 - 9.45 Session 1 (Paul Uno)

- CONSTRUCTION FAILURES IN ENGINEERING

- Major construction failures that have occurred in Australia over the past 50 years.
- Engineering and building cases that have had a major influence on the laws relating to Professional Indemnity for design and construction professionals including:
 - *Voli vs Inglewood Shire Council* (1963)
 - State Rail Authority and the Coledale Landslide disaster (1988)
 - *Parramatta City Council vs Lutz* (1988)
 - *Heyman vs Sutherland Shire Council* (1985)
 - *Shaddock vs Parramatta City Council* (1981)
 - *Bryan vs Maloney* (1995).

9.45 - 10.30 Session 2 (Peter Towson)

- CONTRACT LAW FOR ENGINEERING & BUILDING CONSTRUCTION PROFESSIONALS

(Part 1 – Elements of a Contract)

- In order to understand the more complicated aspects of Contract Law, engineers must understand the basic elements which form a contract.
- Offer, Acceptance, Consideration, Revocation, Deed, Compromising Debts, Promissory Estoppel, Capacity and Legality of the contract as well as the terms in which the contract is founded and when a contract can be voided.

10.30 - 11.00 Morning Tea

11.00 - 12.30 Session 3 (Peter Towson)

- ELEMENTS OF A CONTRACT CONTINUED

12.30 - 1.30 Lunch (Provided at Venue)

- One day course – **\$750 pp**

FURTHER INFORMATION

- (02) 9899 7447
- +61 413 998 031
- registrations@etia.net.au

- To register, visit our website www.etia.net.au
- OR scan the QR Code.



1.30 - 3.00 Session 4 (Peter Towson)

- TERMS OF A CONTRACT

(Part 2)

- Common contractual problems which arise when contracts are being drafted and executed and how aspects of AS4000 can be applied.
- Terms, Conditions, Warranties, Rules of Interpretation, Parol Evidence, Implied Terms, Ticket and Exclusion Clauses.
- How to draw up and execute a contract, and (if need be) steps in analysing a contract dispute.

3.00 - 3.30 Afternoon Tea

3.30 - 5.00 Session 5 (Peter Towson)

- VITIATING ELEMENTS OF A CONTRACT

(Part 3)

- Topics and terms such as Fraud, Negligence, Void Contracts, Sale of Business, Confidentiality Agreements, Duress and Unconscionable conduct.
- Privity of Contract, Formal Requirements of Contract, Discharge and Termination of Contract, Insurance Contracts, Subrogation and Remedies for Breach.
- Overview of the course including the final steps in 'Drawing Up' a Contract.
- Case studies in relation to a dispute between a construction company and a Government Agency.
 - *Codelfa Constructions Pty Ltd vs State Rail Authority*
 - *BP Refinery vs Shire of Hastings*

5.00 - 5.15 Certificate of Attendance & Feedback sheets

