

## Introduction to Contract Law

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### Overview

Entering into a business contract is a complex matter and the consequences of getting it wrong can have a far reaching impact on the viability of any business. We rely on the contract to protect our businesses in the event of something going wrong. The contract must be legally binding and capable of being enforced and should clearly set out the obligations and responsibilities of all parties. It is often used to define and limit commercial risk by attending this one day workshop the delegate will receive a grounding in UK Contract Law where relevant Case Law examples are utilised throughout the workshop to expand upon the taught content. The course details the key legal issues in a business contract and is suitable for both commercial and none commercial employees who are involved in buying goods and require an understanding of UK Contract Law.

### Target Audience

The course is designed principally to provide delegates both engineering and purchasing/contracts staff with an appreciation of Contract Law as it applies to business.

This course is ideal for personnel within a customer facing defence sector organization at any level within the supply chain that are involved with or about to become involved in a defence sector commercial venture. The workshop will examine a number of key concepts upon which many contract terms are based looking at case law and judgements from which the law is derived.

### Objectives and Utility

On completion of this training course the delegate will recognize the origin and legal reasoning behind many of the contract clauses and terminology used in our defence contracts with MoD and the Primes. and will have a better understanding of their relevance and how the law is applied. They will have gained an understanding of the terminology and why it is expressed as it is and to be able to apply their knowledge and skills in their daily transactions... The delegate will benefit professionally from the knowledge which has been given. The sponsoring organisation gains personnel who are confident and competent and who are more able to protect their companies from a commercial perspective. The individual is better equipped to write and negotiate contractual arrangements and they will have undergone a degree of personal development through the expansion of their knowledge base.

### The Training Process

The course establishes the basic principles, doctrines and terminology of English Contract Law Law surrounding the contracting process with respect to Defence Sector procurement. The course covers all the key components associated with any commercial venture. Delegate numbers are kept low to encourage participation and discussion.

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## Course Programme

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### Day 01 - AM

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#### 750-P Nature of a Contract

An introduction into the background thinking and the doctrines that underpin any contracting event.

This module includes review of:

- Freedom of Contract
- Privity
- Bargaining Power
- Reasonableness
- Good faith
- International influences

#### 751-P Formation of a Contract

The essential legal elements to the formation of a binding and enforceable contract are considered including:

- Offer, Acceptance, Consideration
- Intention to be legally bound
- Enforceability
- Battle of forms
- MoD authority to contract

The question of whose terms apply when both parties issue standard terms is also discussed.

#### 752-P Content of Contract

The contents of a contract are introduced and discussed including:

- Incorporation and constituents, express terms
- Conditions and warranties - including remedies for breach
- Boilerplate Clauses
- Implied Terms
- Exclusion, Limitation and Indemnity Clauses - Legality Issues

### Day 01 - PM

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#### 753-P Contract Performance, Discharge and Breach

Contract performance, discharge and breach to include:

- Performance/Discharge
- Breach/remedies
- Damages/liquidated damages
- Specific Performance
- Termination for Breach
- Anticipatory Breach

#### 754-P Termination

The workshop concludes by looking at situations which may lead to:

- Contract Frustration
- Contract Repudiation
- Contract Rescission