

Engineering and Construction Contracts

Building a better foundation in contracts

About this course

Construction projects can be technically very complex and dynamic and involve a multitude of parties involving a fragmentation of responsibilities. Construction law underpins the construction process by creating a framework to regulate the actions of all parties involved. This course provides a comprehensive overview of the fundamental principles involved in forming the basis of construction law.

Course venues and dates

Midrand:

14 and 15 May 2020 | Time: 8:30 – 16:00
Venue: To be advised after registration

Who should register?

Legal and other professionals, including government supply chain professionals involved in drafting, letting and managing construction contracts.

Benefits of attending

Prepared and presented by an engineer and practising advocate with many years of experience. This course deals with the fundamental principles and issues involved with a practical focus. This provides participants with a solid foundation enabling them to successfully orientate themselves in this complex pervasive field and approach the drafting and letting of construction contracts equipped with relevant knowledge.

Expert presenter

Gustav Weich comes from a consulting engineering background with 39 years of experience. In addition to being a registered Professional Engineer with the Engineering Council of South Africa and a Member of the South African Institution of Civil Engineering, he is an admitted advocate of the High Court of South Africa and a Fellow of both the Association of Arbitrators (Southern Africa) NPC and the Chartered Institute of Arbitrators and an accredited commercial mediator.

Course content

The course will cover the following:

1. Definition and unique nature of a construction contract.
2. Types of construction contracts –
 - a. lump sum contracts; and
 - b. cost contracts –
 - i. cost reimbursable; and
 - ii. cost plus contracting.
 - c. target contract;
 - d. other forms; and
 - e. choice of contract.
3. Common standard form contracts –
 - a. FDIC;
 - b. NEC;
 - c. JBCC; and
 - d. ECC.
4. Role of the professional team and the principle agent.
5. Certificates.
6. Letters of intent.
7. Construction programmes and method statements.
8. Construction guarantees.
9. Ownership of construction materials.
10. Time-barring and penalties.
11. Extensions of time.
12. Risk of loss or damage to work in progress.
13. Employer's liability for harm caused by their contractor.
14. Concepts of design, materials, workmanship, defects and fitness for purpose.
15. Copyright in construction drawings.
16. Contractor's *lien* and unjust enrichment.
17. Excluding and limiting liability.
18. Contractor's insolvency.
19. Administration of construction contracts.
20. Construction dispute resolution.
21. International construction contracts.

Registration

Registration fee categories (including VAT):

- Practising legal practitioners and other staff from attorney firms: R 3 700 per person.
- Non-practising legal practitioners/others: R 5 240 per person.

How to register

- Complete the registration form on page 3 and 4 of this document.
- E-mail your completed form, proof of payment and a copy of your ID/Passport to Bettie@LSSALEAD.org.za.

- Space is limited, and registration is based on a first-come first-serve basis.
- Registration closes one week prior to the commencement of the course.

For more information on this course, e-mail Bettie Lubbe at Bettie@LSSALEAD.org.za or telephone (012) 441 4670 (direct) or (012) 441 4600 (switchboard).

Please note: The Law Society of South Africa's (LSSA's) Legal Education and Development Division (LEAD) reserves the right to cancel a learning activity should the number of participants not justify the cost involved.

Bank details:

Account holder: Law Society of South Africa

Bank: First National Bank

Branch: Pretoria

Account number: 6200 964 1079

Branch code: 251445

Reference: ECC/surname and initials.

About the LSSA

Attorneys and advocates in South Africa are registered with the Legal Practice Council in terms of the Legal Practice Act 28 of 2014. Since 1998, the LSSA has represented the attorneys' profession. The LSSA brings together the Black Lawyers Association, the National Association of Democratic Lawyers and provincial attorneys' associations, in representing the attorneys' profession in South Africa. From March 2019, the LSSA is governed by a House of Constituents comprising of 27 practising attorneys.

LEAD, the educational division of the LSSA, is responsible for the management of this course. With 30 years of experience, LEAD is well placed to understand the needs of a modern-day law practice. LEAD offers a wide range of high-quality courses, seminars and certificate programmes, which are designed to give legal practitioners the knowledge and skills to manage their practices successfully.

Other LEAD product offers

LEAD is one of the largest providers of legal and professional education in South Africa and provides access to quality learning that is relevant, accessible, and affordable. LEAD offers an extensive range of learning activities and training options.

REGISTRATION FORM

Engineering and Construction Contracts

Complete the registration form digitally or in clear, block letters. Please e-mail the form, proof of payment and a copy of your ID document to Bettie@LSSALEAD.org.za. Registration closes **one week prior to commencement**.

A. Venues and dates (Select your preferred date with an 'X')

Midrand: 14 and 15 May 2020

B. Participant's details

Surname:

Initials:

Title:

Preferred name:

Race (for reporting purposes):

ID number:

Postal address:

Code:

Employer:

Occupation:

Tel (w): ()

Cell: ()

E-mail address:

Special dietary requirements (if any):

If disabled, nature of disability:

Where did you hear about the course?

SMS

Word of mouth

Internet

Employer

E-mail

Other

If other, please specify:

C. Employer details (NB: Complete this section **only** if the delegate is being **sponsored** by their employer)

Firm/company name:

Contact person:

Contact person's e-mail:

Tel: ()

Contact person's job title:

Postal/docex address:

Code

Do you need an invoice? Yes No

If 'yes', please provide the employer's VAT number:

I, _____ (name of the employer's authorised account signatory) hereby declare the above information to be correct. I accept full responsibility for fees payable to the Law Society of South Africa for the above-mentioned participant.

Employer Signature

Date

NB: Company Stamp

The Law Society of South Africa's Legal Education and Development Division reserves the right to cancel a learning activity should the number of participants not justify the cost involved. Registered participants will be given reasonable notice of cancellation.

PAYMENT DETAILS:

Engineering and Construction Contracts



Surname and initials of participant:

C. Payment details

Payment by Electronic Funds Transfer (EFT): by Employer by Applicant

Amount: R

Name of account: Law Society of South Africa | **Bank:** First National Bank (FNB)

Branch: Pretoria | **Branch code:** 251445 | **Account number:** 6200 964 1079 | **Reference:** ECC/surname and initials.

Terms and conditions

1. A delegate who wishes to cancel must do so seven or more working days prior to the commencement of the training. A substitute may be sent in your place. A completed registration form for the substitute must be forwarded to the LSSA/LEAD for the attention of Bettie Lubbe.
2. Cancellations must be done in writing and e-mailed to Bettie@LSSALEAD.org.za.
3. You may transfer (at no additional cost and only once) to another training programme with the provision that it is not in the seven day period as stipulated above.
4. Confirmation of the cancellation will be e-mailed to you. Should a delegate not receive a cancellation confirmation from LEAD, it means that the cancellation request was not received. Delegates should follow up or it will result in full liability of the training amount.
5. Delegates who do not cancel and fail to attend the training will be held responsible for the full course amount.
6. LEAD has the right – in its sole discretion – to postpone or cancel training in any programme initially advertised and offered based on insufficient demand. Should LEAD cancel the proposed training, registered delegates will be given reasonable notice of the cancellation and all fees paid by the delegate will be refunded.
7. Registration is on a first-come first-serve basis. If payment is not received within seven days of sending the registration form, the registration will unfortunately be discarded.

General declaration

1. I am familiar with the outcomes of the training specified above and fully comprehend the specifics as explained in this document.
2. I acknowledge that payment needs to be made before attendance of the training.
3. I understand that all fees must be paid to the designated LSSA bank account only. The LSSA will not accept liability if fees are paid into any other bank account.

Name of account: Law Society of South Africa | **Bank:** First National Bank (FNB)

Branch: Pretoria | **Branch code:** 251445 | **Account number:** 6200 964 1079 | **Reference:** ECC/surname and initials.

4. I acknowledge that I have read and understood the above, and that submission of this registration form constitutes acceptance of the Terms and Conditions and hereby, sign as proof.

I, hereby agree to abide to all the above terms and conditions relating to the above.

Applicant's Signature

Date

Course and registration queries: Bettie Lubbe | E-mail: Bettie@LSSALEAD.org.za | Tel: (012) 441 4652/00

Legal Education and Development | LEADers in training of legal professionals and support staff