

Introduction to construction law

Overview

This one-day course is a practical introduction to the subject. It does not pretend to discuss the various standard forms of contract in any detail, although reference is made to them where relevant. The course is therefore an ideal grounding in the subject before participants undertake further training in the relevant contract terms and conditions – FIDIC, NEC, JCT, ICE, IChemE, GC/Works, etc.

Learning objectives

By the end of the course, participants should be able to:

- Understand the key principles underpinning contract law
- Use basic contractual terminology correctly
- Understand the legal consequences of their actions and decisions in dealing with clients / contractors
- Avoid legal pitfalls
- Appreciate the consequences of non-performance
- Hold people to account

The expert trainer

Kelvin Hughes FBEng FCIQB MAPM MaPS MCI Arb is a contracts consultant with over 30 years' experience in advising clients, contractors and consultants on all forms of contract. He was a commercial manager on major construction projects for nearly twenty years before forming his own consultancy company in 1992, since when he has advised and lectured throughout the UK and abroad on contractual, procurement and CIOB issues. In 1996 he was appointed by Thomas Telford Ltd, publishers of the New Engineering Contract, to head the promotion and commercial development of the NEC throughout the worldwide construction industry. He was Secretary of the NEC Users' Group and NEC adviser to Thomas Telford for ten years.

Course outline

1 Formation of contract

- Essentials of a contract
- Express and implied terms
- Assigning and dealing with risk
- Use of letters of intent
- Liabilities in contract and tort
- Breaches of contract and their remedies

2 Insurances, bonds and warranties

3 Design obligations and liabilities

4 Quality and defects

- Contractual liabilities
- Latent defects

5 Time issues

- Programmes
- Extensions of time
- Liquidated damages

6 Valuations, variations and payment

- Payment procedures
- Pricing variations
- Loss and expense claims

7 Dispute resolution methods

- Mediation
- Adjudication
- Arbitration
- Litigation

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