

indemnities, good faith and termination for convenience

Presented by
renowned experts:



Professor
John Carter



Professor
Elisabeth Peden

An intensive practical skills based workshop tailored
for lawyers and contract professionals alike

16 June 2008 **Melbourne**
19 June 2008 **Sydney**

MELBOURNE - 16 June 2008 (am)

- 8:30 **Registration**
- 8:55 **Start of workshop**
- 10:45 **Morning tea**
- 12:00 **End of workshop**

SYDNEY - 19 June 2008 (pm)

- 1:30 **Registration**
- 1:55 **Start of workshop**
- 3:45 **Afternoon tea**
- 5:00 **End of workshop**

WORKSHOP OUTLINE

Opening by Prof John Carter and Prof Elisabeth Peden

Indemnities

- Background – assessment of damages

Key Issues:

- What is an indemnity?
- How does an indemnity work?
- What special rules apply?
 - Operation
 - Validity

Discussion:

- Using an indemnity to control liability
- Using an indemnity to protect third parties
- Restricting the scope of indemnities

Tea break

Good Faith

Key Issues:

- What does 'good faith' mean?
- Has Australian law adopted a general requirement of good faith?
- When will a requirement of good faith apply?

Discussion:

- What is the impact of failure to act in good faith?
- What should I say about good faith in the contract?

Termination for Convenience

- Background – termination clauses in general

Key Issues:

- What is 'termination for convenience'?
- When does the law permit termination for convenience?
- Are termination for convenience clauses valid?

Discussion:

- How do I draft a termination for convenience clause?
 - Termination of the whole contract
 - Termination of part of the contract
- How do I ensure that the clause is valid?
- What impact does good faith have?

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contract law workshop

ABOUT THE PRESENTERS



Professor John Carter, Professor John Carter holds a personal chair in Commercial Law at the Faculty of Law, University of Sydney. He has also been a consultant at Freehills since 1992. He is the general editor of the Journal of Contract Law (LexisNexis Butterworths). He has published

numerous significant books including: Contract Law in Australia (5th ed), LexisNexis Butterworths 2007, Breach of Contract (2nd ed), Restitution Law in Australia and Carter on Contract (a two volume looseleaf), LexisNexis Butterworths. He has served as a Commissioner with the NSW Law Reform Commission, as the Executive Editor of the Sydney Law Review and Chairman of the Commercial Law Association of Australia Education Committee.



Professor Elisabeth Peden was first appointed to the Faculty of Law, University of Sydney in 1999. She has acted as a specialist consultant on various contract law disputes including High Court and NSW Court of Appeal cases. She completed her Doctor of Philosophy as a

Tapp scholar at Gonville and Caius College, Cambridge University, which focused on implied terms in contract law. She is a member of the editorial board of the Journal of Contract Law and joint editor of the Commercial Law Quarterly. She is the author of Good Faith in the Performance of Contracts, Butterworths, 2003 and co-author of Contract Law in Australia (5th ed) LexisNexis Butterworths, 2007. She has written many articles on various aspects of contract law.

CONFERENCE DATE AND VENUE

16 June 2008 8:30 - 12:00
365 Little Collins, 365 Little Collins Street
Melbourne VIC 3000

19 June 2008 1:30 - 5:00
Portside Centre Symantec House, Level 5, 207 Kent Street
Sydney NSW 2000

PROGRAM CHANGES

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- Legal Counsel
- Government Lawyers
- Litigators
- Commercial Lawyers
- Contract Lawyers
- Corporate Lawyers

4 easy ways to register

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A I would like to register for the **Contract Law Workshop: Indemnities, Good Faith and Termination for Convenience**

Please select which venue you wish to attend Melbourne Sydney

Workshop Pricing

<input type="checkbox"/> Workshop Only	\$500.00 + GST = \$550.00
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<input type="checkbox"/> Workshop + Looseleaf Service - Carter on Contract (Product reference number: 923176)	\$1915.45 + GST = \$2107.00

The first 10 registrations will receive an autographed copy of Carter's Guide to Australian Contract Law

TEAM DISCOUNTS

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