

indemnities, good faith and termination for convenience

Presented by
renowned experts:

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



Professor
John Carter



Professor
Elisabeth Peden

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?

Register now for an
exclusive contract law
looseleaf or book offer.

See reverse for details.

Phone: 1800 772 772

Fax: (02) 9422 2338

Online: www.lexisnexus.com.au/pd



LexisNexis
Professional Development

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

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment is received. We will refund your registration in full less a \$165 administration fee if notification is received in writing by 19 May 2008. If we receive written notification between 20 May 2008 and 2 June 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 2 June 2008. You may nominate a replacement, however no refund will be issued.

IMPORTANT PRIVACY NOTICE:

The information you provide on this form is collected by Reed International Books Australia Pty Limited for the purposes of processing your registration or enquiry and keeping you informed of upcoming products, services and events. The information is disclosed from time to time to our related bodies corporate for these purposes. The provision of this information by you is voluntary but if you do not provide some or all of the requested information we may be unable to properly process your registration. You have both a right of access to the personal information we hold about you and to ask us to correct it if it is inaccurate or out of date. Please direct your enquiries to privacy@lexisnexis.com.au

☐ Tick here if you DO NOT wish to receive information about upcoming events

WHO SHOULD ATTEND?

- Associates
- Solicitors
- Senior Associates
- In-house Counsel
- General Counsel
- Legal Counsel
- Government Lawyers
- Litigators
- Commercial Lawyers
- Contract Lawyers
- Corporate Lawyers

4 easy ways to register

Phone: 1800 772 772
Fax: (02) 9422 2338
Online: www.lexisnexis.com.au/pd

Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222,
Chatswood Delivery Centre, Chatswood NSW 2067

Please complete sections A, B and C

Workshop code: **VIC PD4608, NSW PD4708** ABN: 70 001 002 357

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

☐ Workshop Only	\$500.00 + GST = \$550.00
☐ Workshop + Book Offer - Carters Guide to Australian Contract Law (ISBN: 9780409322743)	\$584.55 + GST = \$643.00
☐ 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

☐ Register a team of 3 for Contract Law Workshop Indemnities, Good Faith and Termination for Convenience at the same time, from the same organisation and receive a free pass for the 4th delegate.
Early Bird, team discounts and any other discount cannot be taken concurrently

B Payment details Payment is due upon registration

- ☐ Enclosed is my cheque for \$ _____ made payable to LexisNexis
- ☐ Pay by credit card
Please charge \$ _____ to ☐ Mastercard ☐ Visa
☐ American Express
- Card number _____
Expiry ____/____
Name of cardholder _____
Signature of cardholder _____
- ☐ Charge to my LexisNexis account: \$ _____
Account number _____
Signature _____

C Delegate details (for additional delegates please photocopy form)

Mr/Ms/Dr _____
First name Last name

Position _____

Organisation _____

Postal address _____
Suburb Postcode State

Telephone _____

Fax _____

Email (required**) _____

☐ YES! I would like to receive information on upcoming events via email

** to send conference confirmation