

Certificate in Building Contract Law

COURSE SYNOPSIS

This course covers the various sources of building contract law, the standard forms of contract, dispute resolution mechanisms, general understanding of basic legal principles and concepts, and the essential elements for the formation of a contract. Participants will be able to tell when a contract has been legally formed, and on which set of standard terms. Commonly encountered situations of unsigned quotations, purchased order terms being different from those stated in the quotation, and further negotiation of terms after delivery of material will be discussed. The circumstances under which a signed contract is considered void or unenforceable will be discussed. Issues such as misrepresentation, frustration, mistake and duress will also be examined. The breaching of contract and its consequences will also be covered. The legal rights and obligations regarding the time for completion of works or delivery will be discussed. Participants will learn the best way to avoid liability for delay and liquidated damages, and preserving their rights to claim for extensions of time, and even payment of prolongation cost for delays. The contractual basis for variations and payment for variations will be discussed - issues include the circumstances under which a contractor rejects variation orders, and when an omission order may be considered invalid. The course will also cover the more commonly subscribed payment regime. Cases of building contract law will also be covered during the course.

This course is designed for all stakeholders and practitioners of the real estate, building and construction industry such as developers, quantity surveyors, managing agents, project managers, superintending officers, architects, engineers, construction managers, building managers, contracts managers, building contractors and sub-contractors including specialist contractors and suppliers of construction materials and products.

COURSE OBJECTIVES

It serves to equip participants with the knowledge and skills in contract negotiations, create awareness of the dos and don'ts in the operation of contracts, and gain better appreciation of the technicalities in contractual matters. The course provides a foundation for participants in their understanding, drafting and execution of contracts. The course is designed and structured to cover key aspects of contract law and how they should be addressed within the contractual framework.

COURSE ENQUIRIES

For course enquiries and registrations, please contact:

Dina Abdullah ☎ : 64240286 ✉ : dina@sisv.org.sg

Commencing 1 Sep 2014
Time: 6:30pm to 8:30pm
Venue: SISV Training
Room*

CPD Credit:

SISV, QS Division = 25
points
SIA-BOA = 4 points
Qualified for 12 PDUs by
PEB

Admission Requirements

For practicing
professionals in real estate
and construction industry

Assessment Methods

A Certificate in Building
Contract Law will be
awarded by SISV to
candidates who have
attended at least 75% of
the course and upon
successful completion
of a written
examination.

Course Structure and
Duration

Classes : 1 Sep—17 Sep
2014

Self Study week: 22—26 Sep
2014

Revision : 29 Sep 2014

Written Examination: 9 Oct
2014



**Singapore Institute of
Surveyors and Valuers**

*110 Middle Road #09-00
Chiat Hong Building S(188968)
Main: 62223030 Fax: 62252453
www.sisv.org.sg

*Venue (subject to change)

COURSE OUTLINE

Week 1	1 Sep 2014 (Monday)	The Legal Environment We will discuss the various sources of building contract law, the standard forms of contract, the dispute resolution mechanisms available, and also provide a general understanding of basic legal principles and concepts
	3 Sep 2014 (Wednesday)	Contract Formation We will discuss the essential elements for the formation of a contract. At the end of the session, participants will be armed with the ability to tell when a contract has been legally formed, and on whose set of standard terms. Commonly encountered situations of quotations not being signed, purchase order terms being different from the terms in the quotation, and further negotiation of terms after delivery of material, will be discussed. Some of the issues that will be discussed include: <ul style="list-style-type: none">◆ When is a contract actually formed – what happens when quotations are not signed and goods have to be delivered?◆ Whose standard terms apply when there are terms in the quotation?◆ The legal significance of a letter of intent, letter of award and documents marked “subject to contract”
Week 2	8 Sep 2014 (Monday)	Contract Avoidance After a contract has been signed, under what circumstances will the contract be considered void or unenforceable? Issues such as misrepresentation, frustration, mistake and duress will be discussed. Also included in the lecture will be breach of contract and its consequences.
	11 Sep 2014 (Thursday)	Delay and Liquidated Damages The legal rights and obligations regarding time for completion of works or delivery will be discussed in this session. Participants will learn how best to avoid liability for delay and liquidated damages, and how to preserve their rights to claim for extensions of time, and even payment of prolongation cost for delays. Issues that will be covered include: <ul style="list-style-type: none">◆ What is the proper time for completion?◆ What happens when the main contractor delays, or the master schedule is not followed?◆ What is the relationship between liquidated damages clauses and extension of time clauses?◆ When are liquidated damages clauses not enforceable?◆ How much of the liquidated damages is too much?◆ Can liquidated damages be charged even if the employer suffers no loss as a result of the delay?◆ Can a contractor pass on to a supplier the liquidated damages which the employer is imposing on him?◆ What are the ways to protect/defend against claims for delay and liquidated damages?◆ What are the best ways to preserve your rights to claim for more time and/or even compensation for standby?
Week 3	15 Sep 2014 (Monday)	Variations and Defects Claims We will discuss the contractual basis for variations and payment for variations. Issues include the circumstances under which a contractor rejects variation orders, and when an omission order may be said to be invalid.

COURSE OUTLINE (Cont'd)

Week 3	18 Sep 2014 (Thursday)	Recovering Payment Effectively This session presents a short course on the payment regime introduced by the Building and Construction Industry Security of Payment Act, and emphasizes how it affects all players in the construction industry. Effective use of the Security of Payment Act will not only ensure efficient recovery of payment, but also avoid pitfalls when faced with claims by other sub-suppliers and sub-contractors. As the Act has been in place for 5 years already, many lessons can be gleaned from the claims and failures that have occurred in these past years, and these will be discussed at the seminar. Some of the issues that will be covered include: <ul style="list-style-type: none"> ◆ Making proper use of the Security of Payment Act to make claims ◆ Avoid being taken by surprise by claims from contractors/ sub-contractors / suppliers ◆ What can and cannot be included in a claim? ◆ When is it too late to make a claim? ◆ How to apply for adjudication, and how to prepare for it.?
Week 4	22—26 Sep 2014	Self-Study Week
Week 5	29 Sep 2014	Revision Lesson
Week 6	9 Oct 2014	Examination

COURSE FEE

\$ 856.00	- SISV members or Staff of Member Firms
\$ 1,123.50	- CIJC members (<i>applicable to SIA, SIBL, SCAL, IES, REDAS, SPM, ACES</i>)
\$ 1,444.50	- Non-members

*All fees quoted are inclusive of GST.

SKILLS DEVELOPMENT FUND (SDF) TRAINING ASSISTANCE

SDF training grant of \$36 per trainee is available to company-sponsored participants (Singaporeans or Singapore Permanent Residents). The application will be subjected to SDF's requirements and consideration, on a case-by-case basis. Application to SDF has to be made at least one (1) working day before commencement of the course.

APPLICATION PROCEDURE

All applications must be submitted with the following:

1. Completed application form*
2. One recent passport-size photograph
3. Photocopies of academic qualifications
4. Requisite payment**

Cheques must be made payable to "**SINGAPORE INSTITUTE OF SURVEYORS AND VALUERS**"

* As attached. Application forms are also obtainable from SISV or via www.sisv.org.sg

** Requisite payment includes all fees quoted under Course Fees.

REPLACEMENT

Notice	Penalty
Written notice of withdrawal received <i>more than two weeks</i> before commencement of the course	25% of full course fees
Written notice of withdrawal received <i>less than two weeks</i> before commencement of the course	100% of full course fees

PENALTY FOR WITHDRAWAL

Fees paid are not refundable under any circumstances. If you are unable to attend the course, please inform us in writing at least 2 week before commencement of course, otherwise full payment is still applicable even if you did not turn up for the course. In the case of a CIJC or non-member replacing a member (within the same company), the CIJC or non-member will have to pay the fee difference.

SISV reserves the right to amend the course details, revise the course fee without prior notice, to cancel or postpone the course due to unforeseen circumstances.



SINGAPORE INSTITUTE OF SURVEYORS & VALUERS

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Tel: 65 62223030 Fax: 65 62252453

Email : sisv.info@sisv.org.sg Website: www.sisv.org.sg

Application for Certificate in Building Contract Law (2nd Intake)

1 Sep 2014—9 Oct 2014

- Category SISV Member / Staff of Member Firms
 (Please tick) CIJC (SIA, IES, SCAL, SIBL, SPM, REDAS, ACES)
 Non-Member

Attached a recent passport-size photograph

Applicant Information-----

Applicant Information collected in this form is solely for the purpose of processing your application for enrolment.

Name as in NRIC/Passport (underline surname) Mr / Mrs / Miss		English Name (if any)	
NRIC/Passport No	Date of Birth	Citizenship	Gender : Male / Female
Company		Designation	
Address (O)			
Address (H)			
Email Address# (compulsory)		Handphone	Phone (O) / (H)

All communications shall be through email.

Academic Information (Certified true copies of your academic certificates must be submitted with this form)

Institution	Year	Full-time / Part-time	Qualifications Achieved

Employment History

Organisation	Length of Service	Position Held

Registration / Payment

Course Fee per Trainee		SDF Assistance Per Trainee	Pay to SISV
Member or Staff of SISV Member Firms	\$ 856.00 (Incl GST)	\$36	\$ 820.00
CIJC Member	\$1,123.50 (Incl GST)		\$1,087.50
Non Member	\$1,444.50 (Incl GST)		\$1,408.50

SPONSORED BY COMPANY: YES / NO

APPLY SDF: YES / NO

(Please provide Company endorsement letter if participant is sponsored by Company and/or applying for SDF Assistance)

***NOTE:**

- ◆ The Institute reserves the rights to cancel or postpone the course.
- ◆ Full payment must be made before commencement of course.
- ◆ Company sponsoring their employee/staff applying for SDF Assistance must enroll online with SDF Easy Net at least one working day before commencement of course. Otherwise they will not be eligible for any SDF Assistance.
- ◆ Please complete Form SEN 2C if Companies without access to the internet applying for SDF Assistance. This form must be submitted at least one working day before commencement of course.

Employer's Name & Signature
Date:

Company Stamp

Applicant's Signature
Date:

For Official Use

Batch # _____ Cheque: _____ Amount: _____ Official Receipt: _____