



# Certificate in Contract Law

Mondays & Thursdays  
(11 January 2016 to 14 March 2016)  
Time: 6.30pm to 8.30pm  
Venue: SISV Training Room\*

CPD Credit:

SISV, QS Division = 40 points  
SIA-BOA = 4 points  
Qualified for 28 PDUs by PEB

## Admission Requirements

For practicing professionals in real estate and construction industry.

## Assessment Methods

A Certificate in 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.

Singapore Institute of Surveyors and Valuers

\*110 Middle Road #09-00  
Chiat Hong Building  
S(188968)  
Main: 62223030 Fax: 62252453  
[www.sisv.org.sg](http://www.sisv.org.sg)  
<https://www.facebook.com/SISV.QS>



## COURSE SYNOPSIS

A contract defines the terms of agreement between the contracting parties. It will include the scope of work, obligations, boundaries, **dos & don'ts for them**. The non-performance/breaching of contracts can result in serious consequences especially when it becomes a dispute. Hence, it is essential to acquire a clear understanding of the legal principles in relation to contracts. Such knowledge can enhance the efficiency and productivity of real estate and construction professionals in the management and drafting of contracts, and mitigates arising issues which can lead to potential delays, penalties and disputes. This course focuses on the legal principles behind the formation of contracts, execution and remedies for breach and non-performance. This course is designed for all stakeholders and practitioners of the real estate and construction industry such as developers, quantity surveyors, managing agents, project managers, superintending officers, architects, engineers, construction managers, contracts managers and executives, 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 STRUCTURE AND DURATION

Classes: 11 January 2016 to 29 February 2016  
Revision: 3 March 2016  
Self Study: 7–11 March 2016  
Written Examination: 14 March 2016

## COURSE OUTLINE

Session 1	11 Jan (Mon)	<p>Formation of Contract</p> <ul style="list-style-type: none"> <li>◆ General Introduction of the concept of Offer and Acceptance</li> <li>◆ Inference from Conduct</li> <li>◆ Termination of the Offer</li> <li>◆ Incomplete Terms</li> <li>◆ Intention to create legal relations</li> </ul>
	14 Jan (Thurs)	<p>Form and Consideration</p> <ul style="list-style-type: none"> <li>◆ Contract under Seal</li> <li>◆ Contracts which must be in writing</li> <li>◆ Consideration – necessity, past consideration, moving from promise, need not be adequate, must be real, performance of existing duty, promissory estoppels</li> </ul>
Session 2	18 Jan (Mon)	<p>Terms of Contract</p> <ul style="list-style-type: none"> <li>◆ Express Terms – difference between conditions, warranties, intermediate terms, loss of right to discharge (affirmation or waiver)</li> <li>◆ Implied Terms</li> </ul>
	21 Jan (Thurs)	<ul style="list-style-type: none"> <li>◆ Construction of Terms – canons of interpretation and case law.</li> <li>◆ Exemption clauses</li> </ul>
Session 3	25 Jan (Mon)	<p>Factors defeating contractual liability (vitiating factors)</p> <ul style="list-style-type: none"> <li>◆ Incapacity</li> <li>◆ Minors</li> <li>◆ Corporations and unincorporated associations</li> <li>◆ Mentally Disordered persons</li> </ul>
	28 Jan (Thurs)	<ul style="list-style-type: none"> <li>◆ Misrepresentation</li> <li>◆ Duress and Undue influence</li> <li>◆ Mistake</li> <li>◆ Illegality and effect</li> <li>◆ Severance</li> </ul>
Session 4	1 Feb (Mon)	<p>Limits of Contractual obligations</p> <ul style="list-style-type: none"> <li>◆ Rights of Third Party (Privity of Contract)</li> <li>◆ Imposition of contractual liability on third parties</li> <li>◆ Assignment</li> <li>◆ Novation</li> </ul>
	4 Feb (Thurs)	<p>Performance and Discharge</p> <ul style="list-style-type: none"> <li>◆ Partial performance, payment, tender, time of performance</li> <li>◆ Discharge by Agreement</li> <li>◆ Discharge by Frustration</li> <li>◆ Discharge by Breach</li> <li>◆ Discharge by operation of law</li> </ul>
Session 5	11 Feb (Thurs)	<p>Breach of Contract and Remedies</p> <ul style="list-style-type: none"> <li>◆ Damages – basis of damages, remoteness, mitigation of damages</li> </ul>
	15 Feb (Mon)	<ul style="list-style-type: none"> <li>◆ Equitable Remedies – Specific Performance, Injunction</li> <li>◆ Limitation of Action</li> </ul>
Session 6	18 Feb (Thurs)	<p>Construction Contracts</p> <ul style="list-style-type: none"> <li>◆ Features in Construction Contracts – provision for price, variation, program schedule, liquidated damages, claims for extension of time, interim payment, valuation, final payment, retention, performance bonds.</li> </ul>

## COURSE OUTLINE (cont'd)

Session 6	22 Feb (Mon)	Construction Contracts <ul style="list-style-type: none"><li>◆ Review of Standard Construction Contracts in Singapore (SIA and the PSSCOC standard forms)</li></ul>
Session 7	25 Feb (Thurs) 29 Feb (Mon)	Dealing with claims relating to:- <ul style="list-style-type: none"><li>◆ Liquidated damages, Extension of time and prolongation costs</li><li>◆ Payment (which will include a review of the Building and Construction Industry Security of Payment Act payment regime)</li></ul>
	3 Mar (Thurs)	Revision Lesson
	7 – 11 Mar	Self-Study Week
	14 Mar (Mon)	Examination

\*\* 8 & 9 February 2016 – Chinese New Year

### TRAINERS



Practising for more than 20 years, **Edwin Lee** has argued both major courtroom disputes and arbitrations. He is one of the founding partners of Eldan Law LLP. He is recommended for infrastructure and energy (AsiaLaw Profiles (2007)) and is cited as a leading Singapore construction law practitioner in Euromoney's *Guide to the World's Leading Construction Lawyers* (2013 & 2015).

Edwin is an accredited adjudicator with the Singapore Mediation Centre, and a member of the Construction Adjudication Accreditation Committee, which oversees the selection and assessment of adjudicators. He is extremely familiar with the adjudication regime, having acted as Counsel in numerous adjudications. He has also acted as Adjudicator and Review Adjudicator, hearing adjudications and adjudication reviews. He successfully argued the landmark Court of Appeal case of *Lee Wee Lick Terence v Chua Say Eng*.

Apart from his active legal practice, Edwin is also an Adjunct Assistant Professor with the National University of Singapore and is a trainer for the Singapore Building & Construction Authority, on Construction Law.

Edwin is the author of *Building Contract Law in Singapore*, 2nd Edition (2003), a co-author of *Law & Practice of Injunctions in Singapore* (2004), co-author of *Confidentiality in Arbitration* (2007), and one of the general editors of the annual *Singapore Construction Adjudication Review*.



**Anil Changaroth** has been in practice since 1995 after graduating as a Barrister of England & Wales (Middle Temple) and a five-year career as a infantry officer with the Singapore Armed Forces before that. He established **CHANGAROTH CHAMBERS LLC** on 1st July 2014, a commercial law firm focusing on *Counselling the Business and the Business of Counselling*.

His work primarily involves commercial, civil, corporate and criminal dispute resolution with a focus on construction related mediation, adjudication, arbitration and litigation, representing parties in the Asian region. While primarily a litigator, Anil, a fellow of the Chartered and Singapore Institutes of Arbitrators, is also an Arbitrator and Mediator, on the panels of regional institutes.

Since the start of his practice, he has been in-house counsel and head of the Contracts Advisory and Dispute Management Services in Davis Langdon and Seah. Subsequently, he was also been part of the international arbitration practice group of Lovells Lee & Lee.

Anil also holds a Master of Science in Construction Law & Arbitration from King's College, London's joint programme with the National University of Singapore. He was the honorary treasurer of the Singapore Institute of Arbitrators 2011- 2013 and chairman of the Society of Construction Law (Singapore) 2012 – 2014 and currently SCL(S)'s international liaison to SCL (International).

## COURSE FEE

\$ 1,016.50	- SISV member or Staff of Member Firms
\$ 1,284.00	- CIJC Member ( <i>applicable to SIA, SIBL, SCAL, IES, REDAS, SPM, ACES</i> )
\$ 1,605.00	- Non-Member

## SKILLS DEVELOPMENT FUND (SDF) TRAINING ASSISTANCE

SDF training grant of \$56 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.

## VENUE (subject to change)

SISV Training Room - 110 Middle Road #09-00 Chiat Hong Building Singapore 188968

## 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\*\*

## PAYMENT MODE

- ◆ Cheques must be made payable to "**SINGAPORE INSTITUTE OF SURVEYORS AND VALUERS**"
- ◆ Via ibanking/Bank transfer. Details as follows: **DBS current account no: 007 005007 0**. Please include the invoice number when transferring

\* As attached. Application forms are also obtainable from SISV or via [www.sisv.org.sg](http://www.sisv.org.sg)

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

## PENALTY FOR WITHDRAWAL

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

## REPLACEMENT

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.

## COURSE ENQUIRIES

For course enquiries and registrations, please contact:

Dina Abdullah/Kenneth Lim ☎ : 64240286/64240287

✉ : [dina@sisv.org.sg](mailto:dina@sisv.org.sg)/[qs.admin@sisv.org.sg](mailto:qs.admin@sisv.org.sg)

## UPCOMING COURSES

- ◆ Certificate in Cost Management and Estimating
- ◆ Certificate in Contract Building Law
- ◆ Certificate in Contract Administration



Certificate in Measurement

### Reminder:

**Every QS Division Member (Honorary Fellows, Fellows, Members, Probationers and Technical Members) must complete at least 20 CPD points each year.**

**SINGAPORE INSTITUTE OF SURVEYORS & VALUERS**

110 Middle Road #09-00 Chiat Hong Building Singapore 188968

Tel: 65 62223030 Fax: 65 62252453

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

**APPLICATION For Certificate in Contract Law (3<sup>rd</sup> Intake)**

11 January 2016–14 March 2016

- Category  SISV Member / Staff of Member Firms  
 (Please tick)  CIJC (SIA, IES, SCAL, SIBL, SPM, REDAS, ACES); RICS  
 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	\$1,016.50 (Incl GST)	\$56	<b>\$ 960.50</b>
CIJC Member	\$1,284.00 (Incl GST)		<b>\$1,228.00</b>
Non Member	\$1,605.00 (Incl GST)		<b>\$1,549.00</b>

**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 &amp; Signature

Company Stamp

Applicant's Signature

Date:

Date:

**For Official Use**

Batch # \_\_\_\_\_ Cheque: \_\_\_\_\_ Amount: \_\_\_\_\_ Official Receipt: \_\_\_\_\_

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