In commercial environments, concise and sound contracts are crucial for success. Drafted correctly, they prevent disputes and save money.

What the 2015 students LIKED MOST about the training?

- Fluent, lucid, audible, good dash of humour
- Practical application of theoretical course work and tips
- Emphasis on technology aspects on drafting
- Council Hussain was very pragmatic and provided plenty of good advice
- Up-to-date information and unique learning opportunity
- Detailed explanations about new developments in law
- Brilliant lawyer and lecturer – privileged to have attended.

2016

Legal Education and Development (L.E.A.D)
Tel: +27 (0)12 441 4600 (switchboard)
Website: www.LSSALEAD.org.za
Address: PO Box 27167 Sunnyside 0132 | Docex 227 Pretoria
Old Main Building, 145 Steve Biko Street, Sunnyside, Pretoria
**EXPAND** your professional expertise as well as your career opportunities

This practical skills course teaches the principles of contemporary commercial drafting.

**Benefits of attending the training**

- Enhance your knowledge and understanding of commercial agreements. Receive practical and applicable training in key drafting skills.
- Master practical drafting techniques to draw up concise and effective agreements.
- Understand the effect of exclusion and limitation clauses and how they can be used to manage your exposure.

**Who should attend?**

- Contract and commercial managers
- Corporate lawyers and paralegals
- Attorneys and candidate attorneys
- Risk managers
- Financial controllers
- Sourcing and procurement professionals both in Government departments and private sector
- Engineers and building contractors
- Municipal staff (local government) including metros, district and local council.

**Instruction techniques**

- The course will guide you step by step in how to deal with facts, laws and procedures. The emphasis will be on understanding concepts and practical skills transfer.
- The presentation will be interactive and participants will be encouraged to ask questions and engage in discussion.
- Participants will receive comprehensive documentation including contracts precedents and drafting manuals.

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**Expert presenter**

**Ismail Hussain SC** is a former Judge of the High Court and Competition Appeal Court. He has been a highly popular LEAD trainer for many years. Mr Hussain SC is an expert in commercial drafting, opinion writing, litigation and case management.

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**Dates, cities, times and fees**

**Cities**
- Midrand: 30 & 31 May 2016
- Durban: 6 & 7 June 2016
- Cape Town: 26 & 27 July 2016

**Duration:** 2 days

**Time:** 08:30 – 16:00

**Venue:** To be advised on registration

**Fees (VAT inclusive)**
- Staff from a practising attorney’s firm: R2 700
- Other professions: R3 900

**How to register**

1. Complete registration form on pages 4 and 5
2. Email your competed form, proof of payment and copy of ID/Passport to annelie@LSSALEAD.org.za.
3. If you do not receive confirmation of registration from LEAD within five business days, please follow up with Bettie Lubbe on (012) 441 4670.

**Course information contact person**

Bettie Lubbe: Tel: +27 (0)12 441 4670
Email: Bettie@LSSALEAD.org.za

Find information about other up-coming LEAD events on www.LSSALEAD.org.za.
Course content

SESSION 1
- Brief discussion on general principles for the formation of contracts.
- Classes of contract and the necessary elements.
- The effect of non-variation clauses.
- Enforcement of contracts, including dispute resolution.
- Statutory requirements, disclosure and compliance.
- Obtaining instructions (how to deal with the facts specific to your case).
- Finding the law.
- Brief discussion on interpretation.
- Brief discussion on business structures in South Africa.
- Discussion on due diligence.
- The effect of the internet and cloud technology

SESSION 2
- Contents of a contract:
  - Invariable provisions
  - Express provisions
  - Implied provisions
  - Residual provisions
  - Terms, conditions and warranties
  - Variation and waiver
  - Breach and dispute resolution
  - Boilerplate clauses
  - Dealing with electronic transactions

SESSION 3
- Commonly used words and phrases in commercial contracts.
- General techniques in drafting commercial contracts:
  - Obtaining instructions
  - Understanding the law and procedure
  - The basic provisions for effective contracts
  - The structure of a contract (international best practice)
  - Plain language drafting

SESSION 4
- Sale/Purchase of the various business/commercial structures
  - Sale/purchase of a business
  - Sale/purchase of a company
  - Sale/purchase of goodwill of a partnership
  - Asset purchase
  - Share purchase

SESSION 5
- Lease agreements
  - Residential
  - Commercial
  - Industrial

SESSION 6
- Contracts in procurement and supply-chain management
  - Service level agreements
  - Building and construction contracts
  - Introduction to FIDIC contracts

CLOSING DATE FOR REGISTRATION
Registration closes one week prior to commencement of the course.

ABOUT THE LAW SOCIETY OF SOUTH AFRICA
The Law Society of South Africa (LSSA) is the umbrella body for the attorneys’ profession in South Africa. Its mission is to uphold and protect the values and principles of the Constitution, the rule of law and the independence and integrity of the attorneys’ profession.

Click here for the history of the LSSA.

Legal Education and Development (LEAD), the educational division of the LSSA, is responsible for the management of the course.

With 30 years of experience, LEAD is well placed to understand the needs of a modern-day law practice. A wide range of top-quality courses, seminars and certificate programmes are offered which are designed to give legal practitioners the knowledge and skills to manage their practices successfully.

Future proof your practice through critical thinking
This year, LEAD has adopted a training theme where presenters address the ever-changing legal landscape as it relates to their topic. Solutions to possible upcoming challenges as well as future opportunities for law firms will be discussed.

Please turn over for registration form to be returned to annelie@LSSALEAD.org.za.
Please complete the form in clear, block letters. Thereafter, please email the form, proof of payment and a copy of your ID document to your registration form must be e-mailed to annelie@LSSALEAD.org.za

A. Applicant's Details

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<th>Location</th>
<th>Dates</th>
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<td>Durban</td>
<td>6 &amp; 7 June 2016</td>
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<tr>
<td>Cape Town</td>
<td>26 &amp; 27 July 2016</td>
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Where did you hear about the course?  □ SMS  □ Word of mouth  □ Newspaper  □ Employer  □ E-mail  □ Other

If other, please specify:

B. Employer Details (NB: Complete this section only if the delegate is being sponsored by his/her Employer)

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Do you need an invoice? □ Yes □ No. If “yes”, please provide the employer’s VAT number: ____________

I, ________________________________ (name of the employer’s authorised account signatory) hereby declare the above information to be correct. I accept full responsibility for fees payable to the Law Society of South Africa for the above-mentioned applicant.

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<td>Employer Signature</td>
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LEAD reserves the right to cancel a learning activity should the number of students not justify the costs involved. Registered students will be given reasonable notice of cancellation

Contact Bettie Lubbe at LEAD | E-mail: bettie@LSSALEAD.org.za / Tel +27(0)12 441 4670
LEAD switchboard: Tel +27 (0)12 441 4600
Surname and names of applicant:

C. Payment Details

Payment by Electronic Funds Transfer (EFT): ☐ by Employer ☐ by Applicant Amount: R____________

Bank: First National Bank (FNB)  Account Holder: Law Society of South Africa  Branch: Pretoria

Branch code: 251445  Account Number: 62009641079  Account Ref: (CC Surname, Initials)

Terms and Conditions

Cancellation

1. A learner who wishes to cancel must do so at least 7 (seven) working days prior to commencement of the selected course.
2. Cancellations must be done in writing and e-mailed to bettie@LSSALEAD.org.za or faxed to 086 743 1942.
3. Confirmation of the cancellation will be confirmed via e-mail. Should a learner not receive a cancellation confirmation from LEAD, it means that the cancellation request was not received. Learners should follow up ASAP or it will mean that he/she will be held liable for the full course amount.
4. Learners who do not cancel and fail to attend the training will be held responsible for the full course amount. The only exceptions are if the reasons for cancellation are one of the following:
   • Death of a close family member (death certificate should be submitted);
   • Severe medical condition which results in the participant no longer being able to continue with the course (medical certificate should be submitted);
5. LSSA/LEAD shall have the right in its sole discretion to postpone or cancel tuition in any programme initially advertised and offered on the basis of insufficient demand. Should the LSSA/LEAD cancel the proposed training, registered learners will be given reasonable notice of the cancellation and all fees paid by the learner will be refunded.

General declaration

1. I agree that having registered for the ____________________________ course, I am liable for the full course fee.
2. I am familiar with the outcomes of the course specified above, and fully comprehend the specifics as explained in this document.
3. I acknowledge that payment needs to be made before attendance of the course.
4. I understand that the fees must be paid to the designated LSSA bank account. The LSSA will not accept liability if fees are paid into any other bank account.
5. I accept that a certificate will be issued only if I comply with the attendance and payment requirements.
6. I acknowledge that I have read and understood the above, and hereby, sign as proof.

I, hereby, agree to abide to all the above terms and conditions relating to the Commercial Drafting workshop.

Applicant’s Signature ____________________________ Date ____________________________