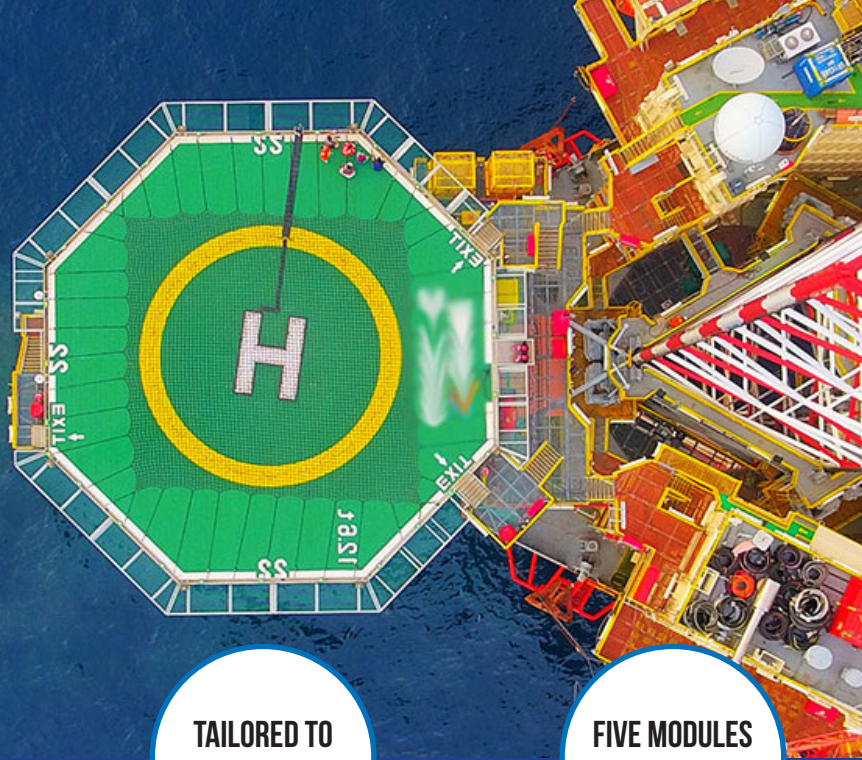




CONTRACTS AWARENESS WORKSHOP

- GAIN COMPETITIVE ADVANTAGE
- MINIMISE RISK
- INCREASE TEAM ENGAGEMENT



OPPORTUNITIES

Help your managers to mitigate the inherent risks and maximise any opportunities in their contracts. This is a critical skill for all managers working in the Oil and Gas Industry.

ENGAGEMENT

Have your team take a renewed interest in your contracting strategy and become actively engaged in the process, management and drafting of upstream agreements.

TAILORED TO YOUR COMPANY

We schedule an in-depth discussion with your company so we can understand your individual contracting environment and tailor the course content around your business

FIVE MODULES OVER 8 HOURS

The workshop is a combination of short presentations, activities, case studies, tests and discussion. Five modules are covered over two x four-hour sessions.

COURSE CONTENTS

The following is a suggested workshop outline but each course will be tailored to fit the unique contracting experiences and requirements of your company.

01. INTRODUCTION

- What is a contract?
- Risk.
- Soft Complexity.
- Three tenets of contract management.
- Industry acceptable terms and conditions.

- Termination
- Exclusions and limitations of liability
- Overall limit of liability
- 'Contra Proferentem Rule' and enforcement of exclusions and limitations

02. FORMATION OF A CONTRACT

- What constitutes a contract
- How is a contract formed?
- The components of a contract
- Implied & express terms
- The four corners rule
- The Battle of the Forms
- Letters of Intent (LOI)
- Unknown unknowns

04. INDEMNITY REGIMES

- Indemnity/indemnity regimes
- 'At law' position
- Knock-for-knock indemnity regimes
- Broad form and narrow form indemnity regimes
- Hybrid regimes
- Mutual Hold Harmless (MHH) Agreements
- Indemnity for Breach of Contract
- Indemnity for Fines and Penalties

03. RISKS, EXCLUSION & LIMITATION OF LIABILITY

- Types of risk
- Breach of contract
- Surety
- Damages, limitation and indemnity for breach
- Liability for physical damage
- Consequential loss
- Force Majeure

05. THE CONTRACTING PROCESS

- Tools
- Policies & Procedures
- Peer review
- Four Corners Rule (revisited)
- Entities
- Checklists (revisited)

06. DISCUSSION & SUM UP



ANDREW ATKINSON

Andrew Atkinson has 39 years experience in the offshore oil and gas industry specialising in contract negotiation and drafting in the subsea industry. Until 2017 he was Commercial Director and Vice President of Oceaneering Asia. Andy is also a Fellow of the Chartered Institute of Arbitrators (FCI Arb) and a member of the International Bar Association.