

*To discover new  
seas you have to  
lose sight of  
familiar shores...*



**IF YOU ADVISE ON OR DEAL WITH  
INTERNATIONAL COMMERCIAL  
CONTRACTS, YOU CANNOT AFFORD TO  
MISS THIS 5-DAY PRACTICAL DRAFTING  
SKILLS PROGRAMME**

## **WHO SHOULD ATTEND?**

The programme is aimed at lawyers, commercial managers, contract managers and legal translators from Civil Law jurisdictions who need to understand, negotiate and draft contracts in English.



**WWW.EMGUK.NET**

## **UNDERSTANDING & DRAFTING CROSS BORDER CONTRACTS IN ENGLISH GOVERNED BY ENGLISH LAW**

International commercial agreements are drafted in English, irrespective of the nationality of the contracting parties. International agreements and cross border transactions often choose the law of England and Wales as the governing law of the agreement.

Throughout our 15 years of training lawyers from Civil Law jurisdictions, the following questions have always been asked in relation to drafting commercial contracts in English:

- Why has English law become the preferred choice for international contracts?
- Why are Common Law contracts longer and more detailed than Civil Law contracts?
- What are the main differences between Common Law contracts and Civil Law contracts?
- What does plain English mean and why should we use plain English in legal drafting?
- What provisions are commonly used as 'risk allocation' tools in commercial contracts?
- What are the tools, techniques and language required for a clear and effective contract?
- What are some of the common drafting mistakes made by international lawyers?
- If boilerplate clauses are standard clauses found in most commercial contracts, do we really need to worry about them?

If you want to know the answers to the above and a lot more, then you do not want to miss this intensive, practical and very engaging programme.



*To discover new  
seas you have to  
lose sight of  
familiar shores...*



#### PROGRAMME OUTLINE:

- Contract law: Common Law v Civil Law.
- Signs of a well drafted contract.
- Tools for achieving clarity in contract drafting.
- Importance of collocation in legal drafting.
- The language of drafting.
- Legal formalities for a binding contract.
- Rules of contract interpretation.
- Structure and formation of a commercial contract.
- Translating a business deal into contract concepts.
- The importance of boilerplate clauses: Force majeure, dispute resolution, no waiver, notices, EAC.
- Legal phrases leading to uncertainty in contracts interpretation.
- What to avoid in contract drafting?
- Troubleshooting in contract drafting.
- Heads of Terms; legally binding?
- Confidentiality agreement. Does it need to be in writing?
- Negotiating warranties & indemnities.
- Acquisitions; share sale or business sale?
- Joint Venture agreements; legal and commercial considerations.
- Distribution v Agency agreements.
- Void and voidable contracts.
- Remedies for breach of contract.
- Adding value to the deal.
- Methods of mitigating risks.
- Practical drafting exercises
- Substantiating legal principles of drafting by examining legal precedents.

This course will help you draft confidently, accurately and effectively in English. You will work on your drafting skills through a series of exercises that require you to apply various drafting principles. The best drafts are those in which clear, concise and unambiguous language is used.

#### Course Presenter:

**Elahe Ghazinoori** qualified as a solicitor in England and Wales. She is the founder and principal presenter of EMG Associates (UK) Limited. She has a wealth of experience in providing inspiring and engaging training sessions in the areas of corporate and commercial law and legal drafting to practitioners from the international community.

Elahe has trained hundreds of lawyers from around the world including the UAE, Oman, Bahrain and the Kingdom of Saudi Arabia working with some of the top law firms and training institutes. Elahe has also written a number of topical articles on a range of corporate issues in the London Chamber of Commerce and the Arab British Chamber of Commerce publications.

**Date:** Monday 19 December – Friday 23 December 2022  
**Time:** 9am - 2pm  
**Venue:** Novotel London West, London W6 8DR, UK  
**Fee:** £3,500 (including course materials, lunch and refreshments)

**To register please contact: [info @emguk.net](mailto:info@emguk.net)**

#### Contact Information

**EMG Associates (UK) Limited**

3<sup>rd</sup> Floor, 3 Shortlands  
Hammersmith  
London W6 8DA

**t:** +44 (0) 20 7198 8438  
**f:** +44 (0) 20 7198 8301  
**e:** [info @emguk.net](mailto:info@emguk.net)

Registered in England and Wales, Company Number 0571982.



**Brochure Code EMG-DCBN01**