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### Drafting and Negotiating Clauses of Loan Agreements

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| Type:                                | Course  |
| Emplacement:                         | En ligne  |
| Date:                                | 20 juin 2011 to 29 Juil 2011  |
| Durée:                               | 7 Semaines  |
| Domaine du programme:                | Public Finance and Trade  |
| Site internet:                       | <a href="http://www.unitar.org/pft/elearning">http://www.unitar.org/pft/elearning</a> |
| Prix:                                | 400.00 \$US   |
| Email du point focal de l'événement: | pft-elearning@unitar.org  |

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### CONTEXTE

Developing countries often presume, for a variety of reasons, that they have limited or no capacity to influence the outcome of negotiations of a loan agreement with an international lender. They often feel that international lenders generally do not subscribe to the viewpoint of borrowers or amend the clauses of the loan agreements. This is a serious misconception. Once the parties are committed to the negotiating process, the existence of convincing reasons, may be guided by national financial and economic considerations, for proposed amendments in the clauses of a loan agreement are difficult to ignore and often find acceptability with the lenders. The preparation and strategy of negotiation

plays an important role in determining the outcome.

## OBJECTIFS D'APPRENTISSAGE

At the end of the course, the participants should be able to:

- Recognize the importance of foreign capital and the various methods for raising such;
- Name the international lending agencies how to negotiate with each;
- Explain with clarity the various provisions of national and international loan agreements and the purpose and intention behind various clauses of loan agreements; and
- Prepare a draft loan agreement with effective negotiating clauses.

## CONTENU ET STRUCTURE

The course consists of the following modules:

- Lesson 1: Methods of flow of foreign capital
- Lesson 2: Introduction to International Lending Agencies
- Lesson 3: World Bank Loan Agreements
- Lesson 4: Loan Agreements of Other Lenders
- Lesson 5: Conditions Precedent under a Loan Agreement
- Lesson 6: Financial Obligations - I
- Lesson 7: Financial Obligations - II
- Lesson 8: Financial Obligations - III
- Lesson 9: Covenants (Parts I and II)
- Lesson 10: Representations and Warranties
- Lesson 11: Events of Default - I
- Lesson 12: Events of Default - II
- Lesson 13: Other Miscellaneous Provisions
- Lesson 14: Resolution of Disputes
- Lesson 15: Guarantee Agreements

## MÉTHODOLOGIE

In order to ensure the best possible outreach, the course will be delivered through e-learning. Through a multiple-instructional setting, the goal is to achieve the learning objectives by means of learning technologies that match personal learning styles and by the inclusion of non-linear learning that aims at the development of just-in-time skills of adult learners. At the same time, in order to allow participants maximum flexibility of scheduling , the learning will be conducted in an asynchronous manner. Using a state-of-the-art training architecture, UNITAR will combine self-learning with assessments and online discussions. The pedagogy - adapted specifically to professionals in full-time work - will help train participants through various experiences: absorb (read); do (activity); interact (socialize); reflect (relate to one's own reality).

## **AUDIENCE CIBLE**

The course is designed for government officials, policy makers, negotiators, economists, financial analysts, accountants as well as lawyers.

## **INFORMATIONS SUPPLÉMENTAIRES**

A certificate of completion will be issued by UNITAR to all participants who complete the course-related assignments and assessments successfully.