



Understanding International Contracts and Loan Agreements

Type:	Course
Location:	Web-based
Date:	25 Oct 2010 to 17 Dec 2010
Duration:	9 Weeks
Programme Area:	Public Finance and Trade
Website:	http://www.unitar.org/pft/elearning
Price:	\$400.00
Event Focal Point Email:	elearning@unitar.org

BACKGROUND

In a time when contracts and loan agreements awarded by government and commercial entities are increasingly complex and involve sophisticated understanding, a firm understanding of contract administration and management and the necessary tools is vital to success. Financial markets are changing continually and new borrowing instruments are being developed. It is vital for those involved in borrowing and financial management to keep their knowledge and skills up to date. For many developing countries, the need to develop and broaden their financial market is a vital step in strengthening both the public and private financial sector. This course, intended for lawyers and non-lawyers alike, starts by explaining in laypersons terminology the importance of structuring,

negotiating and drafting international contracts and loan agreements. It then takes a set of contracts – from bilateral, multilateral and commercial transactions – and explains their structure and key clauses. Special emphasis is placed on how teams of negotiators should negotiate and draft specific clauses of contracts and loan agreements. Best practice examples are also provided all along this course. The emphasis throughout is on the development of practical skills.

LEARNING OBJECTIVES

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

- Discuss the importance of structuring, negotiating, and drafting international contract and loan agreements;
- Explain the structure and key clauses of a bilateral, multilateral, and commercial transaction;
- Construct drafts of specific clauses of contracts and loan agreements; and
- Prepare a negotiation for an international loan agreement.

CONTENT AND STRUCTURE

The course consists of the following modules:

- Module 1: Basic Principles of Public Finance/ Desirability of government borrowing/ Sources of External Borrowing/ The Euro Loan Agreement/ Sovereigns Playing the Market.
- Module 2: Parties/ Offer and Acceptance/ Purpose, Definitions and Nature of Obligations/ Conditions Precedent/ Interest/ Taxes and Increased Costs.
- Module 3: Illegality, Representations and Warranties, Covenants/ Events of Default/ Default and Indemnity/ Set Off, Redistribution/ Fees and Expenses.
- Module 4: The Agent and the Banks, Assignment and Transfer/ Calculations, Notices, Law and Jurisdiction.
- Module 5: The World Bank in Brief/ Application, Definition, Loan Account, Commitment and Interest (Articles I - III)/ Currency, Withdrawal, Cancellation and Suspension (Articles IV - VI).
- Module 6: Acceleration of Maturity, taxes, Negative Pledge, Co-operation and Information/Project Implementation (Articles VII - IX)/ Enforceability, Governing Law, Dispute Resolution, Notices and Effective Date/Effectiveness (Articles X - XII).

METHODOLOGY

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).

TARGETED AUDIENCE

The intended audience for this course includes: actors in public, private or the not for profit sectors of the economy of developing or developed economies; officials of federal or state government, local councils, public enterprises, government owned corporations or parastatals; senior, middle or young public servants engaged in contract or loan management or likely to be so engaged.

ADDITIONAL INFORMATION

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