ASK EXPERIENCED PRACTITIONERS!

WEBINAR

Construction Guarantees



Association of Arbitrators

Please join us for this crucial webinar, presented by <u>Ms Corrie Moll</u>, as part of the Association's ongoing mission to provide regular upskilling opportunities for everyone interested in Alternative Dispute Resolution.

ABOUT THE WEBINAR WORKSHOP:

Part 1 (30 September 2021)

The following topics will be covered in Part 1:

1. What is a Guarantee?

- 1.1. Definitions;
- 1.2. Practical application;
- 2. Purpose of Obtaining Guarantees;

3. Guarantee Facilities:

- 3.1. Banks and Insurance Companies;
 - 3.2. Terms of a guarantee facility and security Requirements;

4. Guarantees and Construction Projects:

- 4.1. Standard Forms of Contract Guarantee Wordings:
 - 4.1.1. JBCC;
 - 4.1.2. FIDIC;
 - 4.1.3. GCC;
 - 4.1.4. NEC;

5. On Demand v Conditional Guarantees:

- 5.1. History;
- 5.2. Development and SA Case Law examined;
- 5.3. Did you get what you thought you got:
 - 5.3.1. Terms of the Guarantee;
 - 5.3.2. Case Studies.

Part 2 (4 November 2021)

The following topics will be covered in Part 2:

6. Claiming Payment in terms of a Guarantee:

- 6.1. When can demand be made for payment under a guarantee?
- 6.2. Terms and conditions of the guarantee;
- 6.3. Requirements for a Valid Demand case studies from presenter's own experience;
- 6.4. On Demand guarantees and the fraud exemption;
- 7. What happens in Cancellation of the Contract and Business Rescue or Liquidation of the Contractor?
- 8. Accounting by Beneficiary (Employer) to the Contractor and Guarantor;
- 9. Summary of Parts 1 and 2.

ABOUT OUR PRESENTER:

Ms Corrie Moll, BA Law LLB LLM (Banking Law) FAArb (SA):



Corrie was admitted as an attorney in January 1989 and continued to practice as an attorney at Van Wyk De Vries attorneys until June 1989. In July 1989 and while doing her Masters degree in Banking Law at UJ, she joined Santam Bank. On 1 November 1990 she joined Lombard Guarantee Insurance Company Limited (now Lombard Insurance Company) as legal advisor and risk manager. In March 1993 Corrie went back to practice and started the law firm Frese Moll and Partner. In this firm Lombard remained a client and Corrie Practiced for 27 years specialising in Guarantees and Construction matters. On 1 March 2020, Corrie established the Firm Moll Quibell attorneys and continued with her career in guarantees and construction matters. Corrie often acts as attorney in disputes on behalf of both Employers and Contractors. Corrie also acts as adjudicator and arbitrator in various types of matters.

DATES:	PART 1 PART 2	Thursday, 30 September 2021TIME:18Thursday, 4 November 2021TIME:18	::00 to 18:4 ::00 to 18:4	5 5
LINK:	The Zoom link will be emailed to you upon receipt of payment.			
COST (incl. VAT)	AoA, ACPM,	, RICS, SAICE, MBA and WISA Members:	R	150.00
PER EACH	AoA Students:			0.00
WORKSHOP:	Non-members:			200.00
	Professional Trainees, University Students, Pupil Advocates, Candidate Attorneys:			0.00

REGISTER FOR PARTS 1 AND 2 BEFORE 30 SEPTEMBER AND PAY ONLY:



RSVP BY:

Wednesday, 29 September 2021

Irrespective of whether you are a paying or non-paying attendee, please send your completed **Registration Form** to our Financial Manager **Michelle Venter** at **michelle@arbitrators.co.za**