

CHARTERED 
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

MANAGING NEW ZEALAND CONSTRUCTION DELAYS AND DISPUTES WITH EFFECTIVE CONTRACT LAW

**Fully Accredited
By:**

Chartered Institute of
Professional Certifications

CPD
Certification Service

PROGRAM OVERVIEW

New Zealand's construction industry is in crisis—**over 60% of constructions projects are delayed and disputes within the industry have surged by 25% in the past decade**, with more than half directly attributed to contract mismanagement and project delays.

This certified program is designed to give you a comprehensive, practice-focused understanding of New Zealand's legal and regulatory frameworks governing construction delays, impact claims, and dispute resolution. You will examine the **complexities of key legislation, including the Construction Contracts Act 2002, Building Act 2004, and the latest amendments to adjudication and payment requirements**—each of which plays a critical role in shaping how delay risks and related claims are managed.

Participants will gain the skills and insight needed to **anticipate, manage, and mitigate project delays** effectively. This includes applying advanced scheduling techniques such as the **Critical Path Method (CPM)**, analyzing concurrent and excusable delays, and using industry-recognized delay methodologies including **Time Impact Analysis (TIA) and Window Analysis**. You will learn to **prepare and defend delay and impact claims using rigorous documentation**—supported by detailed narratives, verified schedules, and accurate cost analyses aligned with New Zealand best practices.

Throughout the program, you will develop a thorough understanding of **essential contract provisions**, including force majeure, liquidated damages, extensions of time, and notice requirements under NZS 3910 and NZS 3916. You will gain practical expertise in **assessing delay impacts and quantifying loss and expense**, including direct and indirect costs, site overheads, and loss of profit attributable to project delays. Building on this foundation, you will then acquire

ACCREDITATIONS



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PROGRAM OVERVIEW

effective dispute resolution strategies under the constructions Contracts Act, along with the skills to **substantiate claims, quantify impacts accurately, and leverage expert evidence** to strengthen your position in any dispute scenario.

Upon successful completion of the program, you will be awarded the **Certification in New Zealand Construction Delays and Dispute Management**, an industry-recognized credential that highlights your expertise in New Zealand's construction law, delay-claim processes, and effective strategies for dispute avoidance and resolution. This certification carries **lifelong validity** and reinforces your commitment to raising professional standards in New Zealand's construction sector.

ACCREDITATIONS



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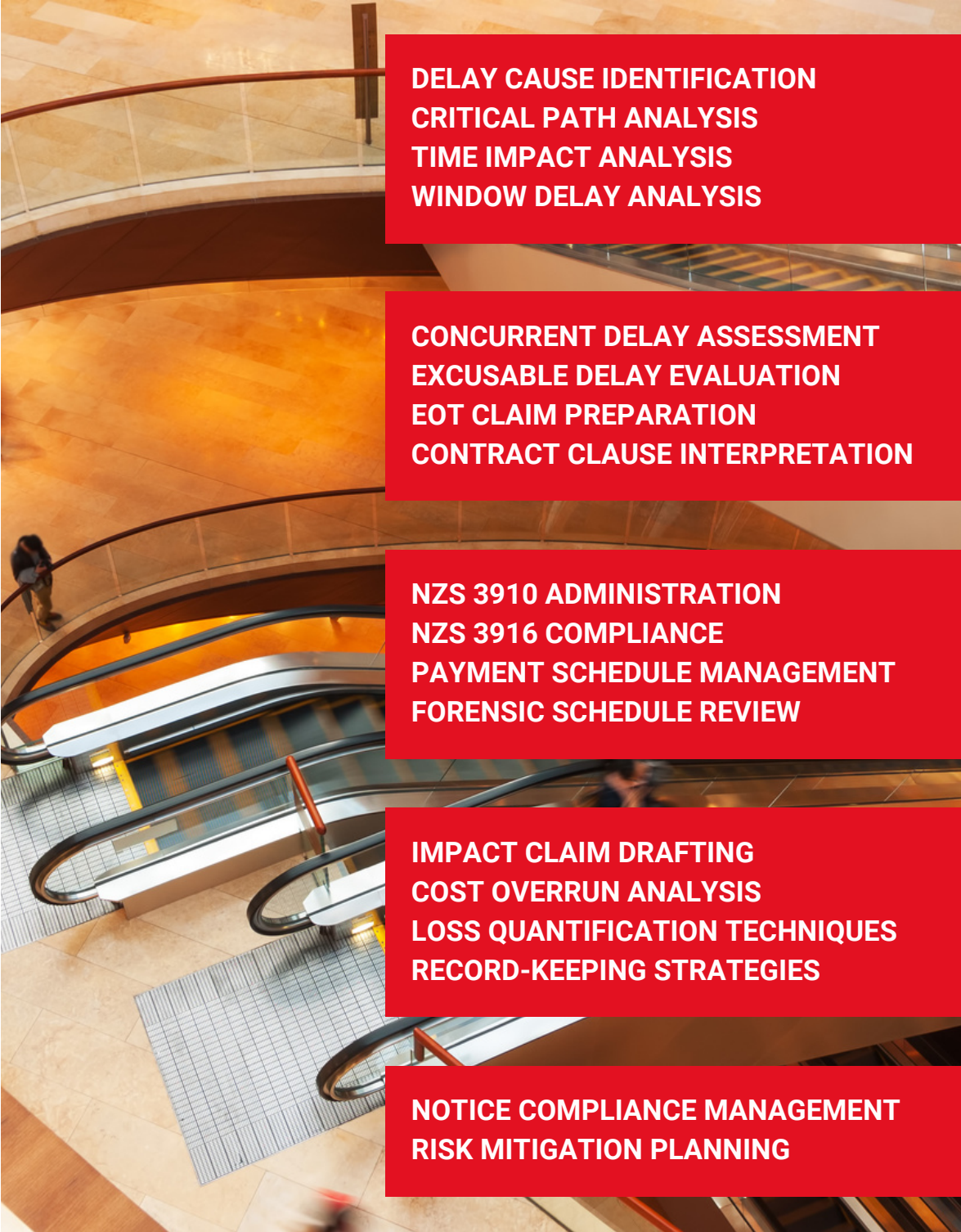


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KEY SKILLS YOU WILL GAIN

From This Program



**DELAY CAUSE IDENTIFICATION
CRITICAL PATH ANALYSIS
TIME IMPACT ANALYSIS
WINDOW DELAY ANALYSIS**

**CONCURRENT DELAY ASSESSMENT
EXCUSABLE DELAY EVALUATION
EOT CLAIM PREPARATION
CONTRACT CLAUSE INTERPRETATION**

**NZS 3910 ADMINISTRATION
NZS 3916 COMPLIANCE
PAYMENT SCHEDULE MANAGEMENT
FORENSIC SCHEDULE REVIEW**

**IMPACT CLAIM DRAFTING
COST OVERRUN ANALYSIS
LOSS QUANTIFICATION TECHNIQUES
RECORD-KEEPING STRATEGIES**

**NOTICE COMPLIANCE MANAGEMENT
RISK MITIGATION PLANNING**

YOUR FACULTY DIRECTOR



Julia Flattery

Highly-Regarded Building And Construction Legal Expert And Trainer

Julia Flattery is a seasoned **construction and commercial property law expert with over 15 years of experience** in the industry. She is a trusted advisor to head contractors, subcontractors, consultants, and funders on contract packages and has **extensive experience in contract drafting and dispute resolution**. Julia has delivered results for clients in large mixed-use joint venture developments and large-scale infrastructure projects. She is a respected member of the construction community, actively participating in organizations such as the **Women in Infrastructure Network and the Society of Construction Law**. Julia is also a **sought-after speaker, author, and trainer, delivering presentations and training sessions on construction law topics** to organizations such as the NZIQS and the NZ Construction Law Conference. As a **member of the consultation group for the Construction Sector Accord**, she works to ensure the needs of the industry are being addressed in important policy decisions. Her expertise and commitment make her a valuable asset to any organization seeking to navigate the complexities of the construction sector.

OUR PARTICIPANTS

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Life is our life's work

Nestle

PROGRAM AGENDA

MODULE 1: INTRODUCTION TO DELAY AND DISRUPTION & NEW ZEALAND CONTRACT LAW

- What Is Delay Under A Construction Contract
- What Is Disruption Under A Construction Contract
- Types Of Delay Events And Legal Implications For Contractors And Principals
- How NZ Contract Law Interprets Time-Related Obligations And Performance Duties
- Review Of Delay And Disruption Clauses In Other Standard Contracts

MODULE 2: DELAY AND DISRUPTION PROVISIONS IN STANDARD NEW ZEALAND CONTRACTS

- Review Of NZS 3910 Delay And Disruption Provisions
- Common Special Conditions Amendments
- Review Of Delay And Disruption Clauses In Other Standard Contracts

MODULE 3: DELAY – TIME ONLY OR TIME PLUS COST

- Standard Contractual Position
- Fault VS Non-Fault Delay Provisions
- Time Related Cost

MODULE 4: DELAY ANALYSIS AND CONCURRENT DELAY

- Types Of Delay Analysis

- Factors To Consider When Choosing A Delay Analysis Method
- The Use Of Construction Programmes For Delay Analysis
- Importance Of The Critical Path
- Assessing And Recovery For Concurrent Delays

MODULE 5: EXTENSION OF TIME CLAIMS

- Legal And Contractual Requirements For EOT Submissions Under NZS 3910
- What Should Be Submitted With An Extension Of Time Claim
- Determination Of Extension Of Time Claims
- Challenging Or Defending EOT Decisions From A Contract-Law Perspective

MODULE 6: RECORD KEEPING DURING DELAY AND DISRUPTION EVENTS

- Importance Of Contemporaneous Project Records
- Types Of Project Records (Programme Records, Progress Records, Cost Records, Correspondence And Administration Records, Contract And Tender Documents)
- Using Documentation To Strengthen Or Defend Claims During Disputes

MODULE 7: QUANTIFICATION OF LOSS CAUSED BY DELAY AND DISRUPTION

- Delay Costs



PROGRAM AGENDA

- Fair Compensation
- Time Related Cost
- Working Day Rate
- How To Demonstrate Costs In A Claim

MODULE 8: LIQUIDATED DAMAGES, PENALTIES & NZ CASE LAW

- Concept Of Liquidated Damages For Delay
- Contractual Purpose Of Liquidated Damages For Delay
- Distinguishing Liquidated Damages From Penalties Under New Zealand Contract Law
- Other Types Of Damages For Late Delivery
- Benefits Of Liquidated Damages For The Principal And The Contractor
- Case Law Review In Relation To The Application Of Liquidated Damages

MODULE 9: RESOLVING DELAY-RELATED DISPUTES IN NEW ZEALAND

- Resolving Delay-Related Disputes in New Zealand
- Adjudication
- Mediation
- Arbitration
- Expert Determination

MODULE 10: FORCE MAJEURE, UNFORESEEN EVENTS & RISK ALLOCATION IN NZ CONTRACTS

- Definition And Scope Of Force Majeure In NZ Construction Contracts

- How NZS 3910 Allocates Risk For Extreme Or Unforeseen Events
- Should This Be Treated Differently Than Other Delay Events
- Practical Guidance For Drafting And Negotiating Force Majeure Clauses

YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certification's programs are unique as they provide you with professional charter designation and mark that can be used across your lifetime once you have completed our programs.

Upon successful completion of this program, you will be awarded the **Certification in New Zealand Construction Delays and Disputes Management**, a prestigious credential that enhances your career profile and demonstrates your mastery of New Zealand's complex contractual and legal framework governing delay, disruption, and dispute resolution. This globally recognized certification carries lifelong validity and affirms your capability to manage time-related risks and contractual obligations with confidence.

Developed by the **Chartered Institute of Professional Certifications**, the program is certified by the **CPD Certification Service** and adheres to the highest standards of continuing professional education. It validates your ability to interpret contract requirements, prepare defensible time and cost claims, conduct effective delay analysis, maintain accurate project records, and apply legal principles to manage and resolve construction disputes. This certification will distinguish you as a trusted leader skilled in preventing disputes, resolving complex delay issues, and strengthening contractual compliance across New Zealand construction projects.

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390

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CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

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