

CHARTERED 
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

NEW ZEALAND LAWS OF CONSTRUCTION DELAY AND DISRUPTION

**Fully Accredited
By:**

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CPD
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PROGRAM OVERVIEW



Delays and disruptions in construction projects in New Zealand can result in complex legal issues due to factors such as the contract terms, force majeure events, dispute resolution mechanisms, and applicable laws. Breaching construction law in such cases can result in financial damages, contract termination, costly legal battles, and harm to reputation. To minimize these risks, parties must have well-drafted contracts, clear communication, and an understanding of their rights and obligations. This will help prevent legal proceedings and facilitate efficient dispute resolution.

Led by Julia Flattery, highly-qualified building and construction legal expert, this comprehensive program will equip you with the crucial knowledge needed to **navigate the complex legal landscape of delays and disruptions in construction projects**. You will gain a thorough understanding of the key issues and best practices for **identifying, avoiding, and mitigating these challenges**. The program covers a wide range of topics, including the **provisions of the Construction Contracts Act 2002**, the **definition of delay and disruption**, the **duty of good faith**, the **claims process**, and the **management of delay and disruption claims** through the use of **extension of time claims, liquidated damages clauses, and contractual notice provisions**. In addition, the program provides a deep dive into the **quantification of loss in delay and disruption claims**, exploring the importance of proper documentation, quantifying loss methods, and the use of experts and independent assessors. This program will equip you with the skills and knowledge needed to effectively handle delays and disruptions in construction projects.

Upon successful completion of the program, you will earn the coveted **Certification in New Zealand Construction Law and Management**. This certification will elevate your professional credentials and showcase your mastery of the key principles related to **New Zealand's Construction Laws, the overall claims process, and quantifying losses and expenses**. This industry-recognized certification holds lifelong validity, offering a testament to your expertise and commitment to excellence in the construction industry.

ACCREDITATIONS



4.8




4.6



KEY SKILLS YOU WILL GAIN

From This Program



**CONSTRUCTION CONTRACTS ACT
NEW ZEALAND CONSTRUCTION LAW
EXTENSIONS OF TIME (EOT) REGIMES
DELAY ANALYSIS**

**KNOWING DUTY OF GOOD FAITH
CLAIMS PROCESS FAMILIARITY
EXTENSION OF TIME PROVISIONS
MEDIATION PROFICIENCY**

**ARBITRATION UNDERSTANDING
EXPERT DETERMINATION TECHNIQUES
JUDICATION KNOWLEDGE
FORENSIC DELAY ANALYSIS**

**DRAFTING CONSTRUCTION CONTRACT
NZS 3910:2013
NZS 3915:2005
DELAY OR DISRUPTION CONTRACT PROVISION**

**LOSS QUANTIFICATION METHOD
DISRUPTION MEASUREMENT METHOD**

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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PROGRAM AGENDA

MODULE 1: INTRODUCTION TO DELAY AND DISRUPTION

- What Is Delay Under A Construction Contract
- What Is Disruption Under A Construction Contract
- 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

- Process For Submission Of Claims
- What Should Be Submitted With An Extension Of Time Claim
- Determination Of Extension Of Time Claims
- Process For Challenging Extension Of Time Claims

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)

MODULE 7: QUANTIFICATION OF LOSS CAUSED BY DELAY AND DISRUPTION

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



PROGRAM AGENDA

MODULE 8: LIQUIDATED DAMAGES

- Concept Of Liquidated Damages For Delay
- 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: EXTENSION OF TIME DISPUTES

- Adjudication
- Mediation
- Arbitration
- Expert Determination

MODULE 10: FORCE MAJEURE

- What Is Force Majeure
- Should This Be Treated Differently Than Other Delay Events

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.

After successfully attending this program, you will be awarded the certification in **New Zealand Construction Law and Management** that can be used in your resume, CV, and other professional credentials. This certification is industry-recognized with lifelong validity.

Globally demanded and recognized, this designation will help you distinguish your skillsets and you will have attained expertise and critical knowledge in New Zealand construction law and its application in managing construction delay and disruption claims. This program is developed by Chartered Institute of Professional Certifications and the content of this program has been certified by CPD Certification Service as conforming to continuing professional principles.

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CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

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