



Drafting and Negotiating International Commercial Contracts

A practical guide, with ICC model contracts

19 APRIL 2018

Risk Assessment & Management in the negotiation of International Contracts

This one day seminar is designed for those working in international trade (private sector), in-house as well as an external consultant, who negotiate, draft, interpret and execute international contracts of sale, distribution and commercial agency. Specifically, it is relevant to those in procurement, sales, legal and finance and those who as a manager are to instruct and supervise these departments and those who are to solve disputes.

 **ALBANIA**
INTERNATIONAL
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ALBANIAN ASSOCIATION OF BANKS
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**MAIN
OBLIGATIONS**

**COMMERCIAL
AGENCY AND
DISTRIBUTORSHIP**

**HOW TO
AVOID/MINIMIZE
RISK IN OUR
CROSS-BORDER
CONTRACTS**

**CHOOSING THE
RIGHT DISPUTE
SETTLEMENT
STRATEGY**

**CHOICE OF
LAW/CHOICE OF
FORUM**

VENUE:

TBD, Tirana

www.icc-albania.org.al

09:00 – 17:00

About the Course

Although “zero risk” does not exist in cross border transactions, a professional approach to internationalization implies addressing operational risk assessment and management, by anticipating commercial and political risks in order to foresee possible solutions to each scenario, aiming at avoiding: operational extra-costs reducing the commercial margin foreseen; delays in import Customs clearance; reception of non-conforming goods; delay in delivery/payment; withholdings in payments from our customers abroad; lack of supporting documents to prove a VAT exemption to any Tax Authority, among many others.

Target Group

This one day seminar is designed for those working in international trade (private sector), in-house as well as external consultants, who negotiate, draft, interpret and execute international contracts of sale, distribution and commercial agency. Specifically, it is relevant to those in procurement, sales, legal and finance and those who as a manager are to instruct and supervise these departments and those who are to solve disputes.

Objectives of the course

To provide participants with:

- The theoretical and practical knowledge to enable them to draft cross-border contracts that all the parties ‘want’ to execute instead of ‘have’ to execute;
- To recognize obligations and liabilities arising in absence of a clear-cut contract;
- The capability to select an appropriate model contract and to understand its role as a conductor of all the obligations and liabilities of the sale (delivery, payment, title, risk transfer, warranties, dispute settlement...) and of the negotiation with the channel (territory, exclusivity, purchases/sales target, goodwill compensation...);
- A clear understanding of the mechanics of a cross-border contract and to understand methods of mitigating risks and optimizing profit.

Seminar Language: English

Lecturer: Ms. Valle Garcia de Novales



Valle García de Novales, Commercial Lawyer, Partner at AIV ASESORES, A.I.E. (Spain) and member of the ICC Commercial Law and Practice Commission.

Valle has over 25 years of experience as a corporate lawyer dealing with cross-border transactions and is a regular University and in-company lecturer and trainer on international contracts, Incoterms, documentary credits and investments abroad.

Further info about the lecturer?

<https://es.linkedin.com/in/vallegarciadenovales/en>

19 April 2018

09:00 – 12:30 1. RISK IDENTIFICATION IN CROSS-BORDER TRANSACTIONS:

- Main obligations: breach of delivery and payment terms;
- Related to the goods supplied/purchased;
- Problems with Customs clearance;
- Extra-costs arising out of wrong selection of Incoterms rules, lack of forecast of tax implications related to services provision...
- Commercial agency and distributorship: failure to achieve sales/purchase targets, breach of exclusivity/non-competition commitments...
- Product warranty and product liability;
- Intellectual property issues;
- Choice of law/Choice of forum: will our choice be effective, or will there be overriding mandatory rules?

12:30 – 13:30 LUNCH

13:30 – 16:30 2. RISK MANAGEMENT:

- How to avoid/minimize risk in our cross-border contracts: contract strategy;
- Contractual guarantees, on-demand guarantees...
- Contract negotiation and drafting: what to do/what to avoid.

3. HOW TO ADDRESS BREACH BY CUSTOMERS, SUPPLIERS, DISTRIBUTORS or AGENTS:

- Choosing the right dispute settlement strategy

4. GENERAL CONCLUSIONS

16:30 Closing remarks

▶ REGISTRATION

REGISTRATION FORM

Fill in and return the registration form to:

E-mail: events@icc-albania.org.al **Tel:** +355 4 22 81 550 **Fax:** +355 4 22 50 960

Mail: c/o Banka Kombetare Tregtare, Bulevard "Zhan D'Ark", 1001, Tirane, Albania

Participant Information ICC Albania

Mr. Mrs.

Family Name: _____

First Name: _____

Job Title / Position: _____

E-Mail: _____

Organisation / Company: _____

Address: _____

Telephone: _____

Fax: _____

Invoice data

Organisation / Company: _____

NUIS Number (VAT): _____

Address: _____

City, Postal code: _____

Country: _____

Event Fee

The registration fee includes all event documentation, lunches, refreshment.

A certificate of attendance will be delivered to all those who completed the course.

Registration	ICC Members	Non-ICC Members	Individual* Student* Public Sector*
Regular Fee	<input type="checkbox"/> € 100	<input type="checkbox"/> € 180	<input type="checkbox"/> € 70
Recommended publications <i>Drafting and negotiating international contracts**</i>	<input type="checkbox"/> € 113 (printed version)		

Registration will be confirmed upon receipt of the registration form and registration fees. Once confirmed by ICC Albania, your registration is legally binding! The regular fee shall be paid within two weeks from receipt of invoice- in case of late registration verifiably before the event starts!

*Seat quota is applied for this category. Applicant(s) will be informed about the availability upon registration.

** Normal price: € 125. Transport charges will be added. Check for electronic copies the [online store](#).

Cancellation Policy

Full refund will only be given for cancellations received up to 10 working days before the event. Cancellations must be made in writing. Should you be unable to attend you can nominate a colleague as replacement.