

DIPLOMA CENTRE



Diploma in Construction Law

COURSE OVERVIEW

This advanced-level diploma course aims to provide a comprehensive overview of the specialised discipline of construction law and practice in Ireland. The increasing complexity of construction law provides for a proliferation of contracts and conflict and dispute resolution mechanisms. This complexity has led to a demand for professionals with the skills to analyse, manage, and solve intricate problems that often arise on major projects.

This diploma takes a practical approach to the complex issues that arise from the multiparty nature of the construction process. Students will be introduced to the standard forms of construction contracts, with particular focus on the public works and RIAI contracts. There will be specialised introductory streams for lawyers and non-lawyers and specific modules on the tendering process and construction dispute resolution. Other prominent areas of study include the *Construction Contracts Act 2013*, allocation of risk between the employer and the contractor, collateral warranties and bonds, specialists and subcontractors, and the *Building Control (Amendment) Regulations 2014*. Practical training through the use of case studies and workshops will be enhanced by consideration of the overall regulation of construction and the role of regulatory authorities, case law, and recent and future developments.

PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- Professionally communicate to a range of diverse construction-management stakeholders, demonstrating in-depth knowledge of the principles of construction contracts and the rationale for amending standard form contracts;
- Explain and identify the impact and interaction of contract law and tort in the construction process;
- Advise on compliance with statutory obligations, including health and safety and building control legislation;
- Critically assess and report on the implications of important case law developments and legislative changes;
- Develop skills to evaluate and critically analyse how a contract is discharged and identify how a contract is performed and breached;
- Describe how alternative dispute resolution mechanisms (such as adjudication and arbitration) operate and provide advice to clients on the merits and suitability of these different mechanisms.

MODULES

Module 1: An introduction to Construction Law

- Specialised stream for lawyers introducing the construction process,
- Specialised introductory stream for non-lawyers introducing the principles of the law of contract,
- An overview of the standard forms of contract,
- Specialists and subcontractors.

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Module 2: Construction procurement – the tendering process

- An overview of the *Public Procurement Directive*,
- The tendering procedure,
- Remedies available to unsuccessful candidates.

Module 3: Construction contracts

- Responsibility for design in construction contracts,
- Lump sum and quantities contracts,
- Supply chain: subcontracting,
- Change,
- Time and completion,
- Security and overall liability,
- Ordinary certification and payment.

Module 4: Construction dispute resolution

- Multiparty construction litigation,
- Conciliation and mediation,
- Dispute resolution through adjudication,
- Arbitration practice and procedure.

WHO SHOULD ATTEND?

This course is suitable for the following:

- Solicitors currently working in the area or those who would be interested in practising in this area,
- Dispute resolution solicitors and barristers looking to broaden their understanding of an area of law that generates a large amount of claims and litigation,
- Construction professionals, including engineers, claims surveyors, and expert witnesses.

If you are interested in applying for a future offering of the course, please subscribe to our [Interested List](#).

Note: The information in this document is subject to change as course content and modules may be adapted.