Force Majeure Relief, Supplier Distress and Settlement Strategy Training Course

2 – 6 August 2027
Cape town

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Ref: 742_35719 **Date:** 2 – 6 August 2027 **Location:** Cape town **Fees:** 4800 GBP

Programme Summary

Force majeure relief, supplier distress and settlement strategy are the subject of this one-week training course for contract directors, procurement and legal heads and commercial leaders at managerial level, ending in a crisis contract response file for one live contract. A shock to supply or cost leaves contracts that parties can no longer perform as written. The programme moves from relief clauses to exposure diagnosis, variation, claims and settlement. Mars Training Centre UK delivers this programme on force majeure relief and supplier distress to mixed-organisation cohorts.

The Business Case

When a crisis hits, contract managers must decide quickly whether to invoke relief, vary terms, support a failing supplier or prepare a claim. Weak notices, missing records and unplanned concessions turn a disruption into a dispute that absorbs management time. Leaders who set a method before pressure builds protect the relationship and the commercial position, and leave sponsors a clear record of each decision.

- Claim Exposure: Falls as notices, records and entitlement arguments are prepared to a consistent standard.
- Supply Continuity: Improves as early warning of supplier distress triggers agreed recovery steps.
- Dispute Cost: Reduces as settlement routes are chosen deliberately instead of by default.

Principles and Evidence Base

- ICC Force Majeure and Hardship Clauses: Provide the model language used in Sessions 1 and 3 to judge whether an event excuses performance.
- UNIDROIT Principles of International Commercial Contracts: Supply the hardship principle applied in Sessions 2 and 3 when performance becomes more onerous.
- FIDIC Conditions of Contract: Supply the Exceptional Events and claims procedures used in Sessions 3 and 4.
- Interest-Based Negotiation: Guides the concession planning used in Sessions 3 and 5.

Intended Participants

- Contract directors who own the terms under which supply and services are delivered.
- Procurement heads who manage suppliers and counterparties under pressure.
- Legal and commercial leads who advise on relief, variation and claims.
- Project leaders who carry delay and cost consequences of disrupted contracts.
- Senior managers who approve settlements and recovery plans.

Typical settings include construction, manufacturing, energy and public-sector procurement.

Learning Outcomes

1. Participants will be able to evaluate whether an event qualifies for relief under a force majeure or hardship clause.
2. Participants will be able to diagnose supplier distress from early warning signals and prioritise contracts by exposure.
3. Participants will be able to construct a variation proposal that rebalances price, time and scope.
4. Participants will be able to prepare notices and records that support a claim for time or cost.
5. Participants will be able to compare negotiation, mediation, adjudication and arbitration for a given dispute.
6. Participants will be able to justify a settlement position to a sponsoring executive.

Programme Structure

Day 1: Force Majeure Relief: Clauses and Tests

Which events excuse performance, and on what conditions?

- Force Majeure Clause Reading Grid
- ICC Model Clause Comparison
- Causation and Foreseeability Test
- Notice and Mitigation Checklist
- Contract Obligation Register

Day 2: Supplier Distress: Diagnosis and Exposure

How is a failing supplier recognised and its exposure ranked?

- Early Warning Indicator List
- Supplier Financial Health Screen
- Exposure Ranking Matrix
- Hardship Test under UNIDROIT Principles
- Contingency Sourcing Options Map

Day 3: Variation and Recovery Terms

How are terms rebalanced when performance has become harder?

- Variation Proposal Template
- Price Adjustment Mechanism Review
- Interest-Based Concession Plan
- Exceptional Events Entitlement Review
- Recovery Schedule Agreement

Day 4: Claims and Settlement Routes

How is entitlement shown, and which route resolves the dispute?

- Claim Notice and Time Bar Tracker
- Cost and Delay Evidence Bundle
- Negotiation and Mediation Comparison
- Adjudication and Arbitration Route Map
- Settlement Authority Brief

Day 5: Crisis Contract Response File for One Live Contract

Do the earlier tools form one response file a sponsor can approve?

- Applying the Session 1 Obligation Register
- Testing the Session 2 Exposure Ranking Matrix
- Reviewing the Session 3 Variation Proposal
- Checking the Session 4 Evidence Bundle
- Completing the Response File and Sign-Off Note

Methodology

The programme uses case analysis built on a prepared contract file for one supply agreement and one construction contract, each with its clauses, correspondence log, supplier accounts and a draft notice. Participants work through the file in small groups, test positions in a counterparty role-play, then revise them after peer review.

- Suggested activity: Reading a relief clause against a disruption timeline and ruling on entitlement.
- Suggested activity: Ranking a supplier portfolio by exposure and choosing a first response.
- Suggested activity: Negotiating a variation with a counterparty who holds opposing priorities.

Capstone Output

Each participant completes a crisis contract response file for one live contract of their choosing. It holds an obligation register, a relief assessment, an exposure ranking, a variation proposal and a settlement brief. The file is used at work to brief a sponsoring executive, issue the first notices and guide the next counterparty meeting.

Frequently Asked Questions

Is a force majeure relief and supplier distress course suitable for managers who are not lawyers?

Yes. Force majeure relief and supplier distress are taught through a contract file and templates. The course assumes experience of managing or advising on contracts, but no formal legal qualification.

Which standards does force majeure relief rest on?

Force majeure relief rests on the ICC Force Majeure and Hardship Clauses, the UNIDROIT Principles of International Commercial Contracts and the FIDIC Conditions of Contract for claims.

How is the response file from the supplier distress course used at work?

You use the crisis contract response file to brief a sponsor, send first notices, plan supplier recovery and prepare the next negotiation.

How does force majeure relief differ from a general negotiation course?

Force majeure relief and supplier distress concentrate on excusing, varying and enforcing contracts under crisis pressure, while a general negotiation course teaches bargaining skills across all deal types.