Legal Risk Management in Complex Transactions and Changing Markets

Who Should Attend?

- Legal departments
- Contract departments
- Those engaged within contract negotiations
- Individuals engaged with stakeholder engagement
- Individuals engaged within dispute resolution processes

Overview:

The modern business environment grows increasingly complex due to cross border international transactions involving an enhanced amount of multi-cultural negotiations and interactions. Technological acceleration and the increasing role of AI drive market volatility and rapid change. It becomes imperative that both the corporate (strategic) and operational (tactical) strata of the organisation are able to exploit synergies across stakeholder interfaces – ensuring, for example that supply chains are robust and compliance issues are identified and actioned. Organisational coherence and effectiveness are often achieved through the management of legal risks that are identified, monitored and controlled (mitigated) by awareness and preparation. Superior contracts that encapsulate necessary protections within complex transactions are the key to enhancing organisational effectiveness. Attention must be paid to lessons learnt and the organisation must be proactive rather than reactive within this critical sphere of corporate activity. This course has been specifically designed to provide an immersive and interactive forum for delegates to enhance their understanding of the area of legal risk management. Focus will be on open dialogue, cases and exercises throughout.

Learning objectives

On completion of this course, delegates will:

- Know what is meant by ‘jurisdictional mapping’
- Be able to evaluate issues such as ‘forum shopping’
- Understand the impacts of geo-political events
- Assess the competitive and regulatory environments through utilising enhanced due diligence techniques
- Identify key elements of contractual risk mitigation
- Examine the different dispute resolution mechanisms
- Describe the various benefits of legal tech to the organisation.
- Become familiar with post-closing review methodologies

DATE :17 – 19 June 2026
Venue: Online
Cost PP: USD595.00pp

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Attendance by two or more representatives of your organization will foster teamwork and enhance the program's impact

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Course Outline

Day One

Topic 1: Jurisdictional mapping

- Where do different parties relevant to our transactions operate?
- The question of asset location
- The governing law of contracts
- Enforcement and 'forum shopping'
- Conflicts of law
- Sanctions exposure
- Jurisdictional specifics?
- Data transfer limitations

Topic 2: Regulatory risk awareness

- The influence of geo-politics on regulatory regimes and policies

Class exercise

- Industry-specific regulations (financial, tech, energy, life sciences)
- Foreign investment controls (e.g., CFIUS-type regimes)

Day Two

Topic 1: Regulatory risk awareness (con:)

- Foreign exchange controls
- Anti-corruption laws (FCPA, UK Bribery Act)
- Competition/antitrust review thresholds

Topic 2: The role of Due Diligence in handling volatile markets

- The '3' environments that impact and influence organisations
- Analysis tools for generating complex scenario's (SWOT; 5 Forces and PESTEL)

Class Exercise

Day Three

- Assessing supply chain resilience
- ESG
- Cyber-security

Class Exercise

Day Four

Topic 1: Contractual Risk mitigation:

- The 5 overarching strategic risk strategies
- Protective provisions – material adverse change (MAC provisions); stabilization clauses; renegotiation and review clauses; termination rights; cost escalation clauses; extension of time provisions (EOT's); indemnification and liability, dealing with force majeure (FM); the concept of liability and indemnity; assignment and novation
- **Class exercise-** Determining FM
- Compliance covenants – AML; KYC; Sanctions provisions; anti-corruption; data protection
- Alternative Dispute Resolution methodologies – understanding the 'ladder of ADR' and what this means – are multi-tiered ADR clauses a good idea?
- Carve outs for high-risk jurisdictions
- Earn outs
- Escrow arrangements
- The concept of non-recourse finance
- JV's

Topic 2: The role of Legal Tech:

- Automated Regulatory Intelligence – tracking new laws; regulatory amendments and changes, enforcement trends, sanctions evolution; cross-border data-transfer requirements
- AI – a growing role? Detecting red flag clauses in contracts; cross checking terms against internal standards; identifying contractual weakness – what protections are missing?
- Market and compliance monitoring – volatile currency and commodity shifts; sudden sanction developments/designations; supply chain disruption, ESG developments
- Class Exercise
- Contract lifecycle management systems

Topic 3: Post closing reviews:

- The due diligence scope was accurate in identifying and assessing risks
- Did anything unforeseen occur -was mitigation effective?
- Was the stakeholder engagement strategy effective?
- Were the contractual provisions effective and focussed, with the correct level of protection provided?
- Ensuring compliance obligations were met
- Assessing post-closing interfaces internally – enhancing cross-functional interaction

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