

Aviation Advocacy

Introduction to Particular Types of Contract

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Agenda

- Labour Contracts
- Procurement
- Property Contracts

Labour Contracts

Labour Contracts (1)

- Special class of contract
 - Cannot be enforced against the employee
 - Certain rights sacrosanct
 - Often over-riding legislation
 - Issues on termination
 - Notice
 - Non-Compete
 - Confidentiality
 - Anti-Poaching

Labour Contracts (2)

- Other obligations
 - Occupational Health and Safety
 - Requirements for compliance by employee imposed by law/regulation
 - Obligations on employer imposed by law/regulation
- Can be changed by regulation/law
 - Compulsory retirement age vs 'Age-ism'
- Subject to social demands

Procurement

Procurement

- Runs to restrict behaviour of government employees
- Requirement for transparency
 - Of process
 - Of procedure
 - Of information
- Open tendering processes can also apply to private entities
- FCPA/OECD rules

Property

Property (1)

- Particular body of law
- Purchase vs Lease
- Used for security/mortgage transactions
 - Therefore particular focus on registration
 - National systems vary
 - Proof of ownership paramount

Property (2)

- Purchase
- Due diligence
- As is; where is
- Easements/rights of way

Property (3)

- Leases
 - Consideration?
 - Quiet enjoyment
 - Landlord's right to inspect/protect
 - Fair wear and tear
 - Term?

Property (4)

- Strata title
- Joint and severable
- Tenants in Common or Joint Tenants?
- Assignment?

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