

Legal and Commercial group

The purpose of the Legal and Commercial Group is to consider the legal, commercial, liability, risk and insurance issues impacting on members' businesses and to seek to raise the profile of and represent members' interests, within the construction and engineering industry as a whole.

Terms of Reference

Formation

1. The Group Chair Tenure and Succession Guidelines shall apply to the operation of this Group, as set out above in Appendix 2
2. Chaired by a company representative from an ACE member company who will, by virtue of his role in the Group, also become an ACE Board member
3. The Group is managed and supported by ACE's Group Legal Advisor

Meeting and Representation

1. Meetings to be held at least three times per year and preferably one month before the ACE Board meetings in order for the Group's output to be reported to the ACE Board. Extraordinary meetings may be requested by any Group member, as and when required
2. One or more members of the Group may be selected, from time to time, to represent ACE on committees/panels/ working groups of various industry bodies of which ACE is a member including FIDIC, EU, CIC and ICE amongst others

The Group incorporates the following in order to achieve and implement its remit:

- Develop, promote and solve the relevant legal and contractual issues relating to procurement
- Pre-empt and proactively address legal, risk and insurance issues which are of concern to ACE members
- Review issues relating to professional indemnity insurance (PII) and provide feedback to the ACE Board
- Develop risk avoidance and PII guidance/briefing notes for implementation by ACE's corporate services and compliance department
- Revise and review ACE suite of agreements, and developing new agreements where needed
- Monitor legal and contractual developments and seek changes in legislation, where considered necessary
- Respond to consultations from government and other bodies
- Invite speakers from industry bodies, chambers and external law firms to address the Group (and select invitees from group members' firms and companies) on topics of prime concern
- Arrange attendance for group members at select events organised by the Law Society, the General Council of the Bar, the Society for Construction Law, government departments and other relevant bodies

- Seek to host an annual profile raising dinner/debate and invite key stakeholders from industry to debate a particular 'hot' topic
- Contribute towards the hosting of seminars/conferences to address specific industry issues, as and when required
- Review issues related to appointment/contractual matters and make recommendations to the ACE Board

The Chair of the Legal and Commercial Group can also bring Health and Safety Group items to the Board if appropriate.