TRAINING OUTLINE

COURSE TITLE	Contractual vs Non-Contractual Benefits
DURATION	1 day

Introduction

This workshop equips HR professionals with knowledge of contractual and non-contractual obligations under Malaysian law as they relate to employment, workplace policies, and HR management. It emphasizes compliance with employment contracts, staff duties, and workplace obligations.

Training Objective

- Understand HR-related contractual obligations (employment contracts, confidentiality, non-compete clauses).
- Learn non-contractual obligations (employee care, workplace safety, torts, equitable duties).
- Recognize HR responsibilities in dispute resolution, termination, and disciplinary actions.
- Apply Malaysia legal principles to HR policies and practices.

Who Should Attend?

- HR managers and officers
- Recruitment and talent acquisition professionals
- Employee relations specialists
- HR consultants and advisors
- Payroll & compliance officers

Learning Methodologies

Lectures & presentations, HR case studies, group exercises, interactive Q&A, scenario-based discussion

Course Content

Registration & Introduction
09:00am - 09:30am

- Overview of Malaysian legal sources (Contracts Act 1950, Specific Relief Act 1950)
- Importance of contractual vs non-contractual obligations

Module 1 - Contract Law in Malaysia
09:30am - 10:30am

- Definition of contract under Malaysian law- Sources: Contracts Act 1950, common law influence
- Offer & acceptance (Sections 2 & 38)- Intention to create legal relations (business presumed)

Module 2 - Elements of a Valid Contract
10:30am - 11:30am

- Essential elements: Offer & Acceptance, Consideration, Capacity to contract, Free consent, Lawful object, Certainty of terms

Tea / Coffee Break - 11:30am - 11:45am

Module 3 - Contractual Obligations
11:45am - 01:00pm

- Common obligations: payment, delivery, quality- Remedies for breach: Damages, Specific performance (Specific Relief Act 1950), Injunctions

Lunch Break - 01:00pm - 02:00pm

Module 4 - Non-Contractual Obligations
02:00pm - 03:00pm

- Definition & examples- Duties outside contract: Tort (negligence, duty of care)
- Equitable doctrines: Promissory estoppel- Legal enforceability in Malaysia

Module 5 - Special Contract Doctrines
03:00pm - 04:00pm

- Force majeure & frustration (Contracts Act 1950, Section 57) - Excuse of performance in
- Force majeure & frustration (Contracts Act 1950, Section 57)- Excuse of performance in unforeseen events
- Effect on contractual obligations

Course Content

Module 6 - Case Studies & Exercise
04:00pm - 04:45pm

- Malaysian scenarios: contractual vs non-contractual disputes
- Drafting simple contracts
- Evaluating enforceability & remedies

Wrap-Up and Q&A
04:45pm - 05:00pm

- Key takeaways
- Further reading on Malaysian law sources