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Promises, Promises...



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Inchydoney Island Lodge & Spa
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From time to time, we all see...

- Warranties & Representations
- Indemnities
- Covenants & Undertakings

Q. WHAT ARE THEY?



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Warranties

- Written Statement of Fact
- Express & Clear
- Beware Disclosure
- If Untrue...
 - Breach of Contract
 - Damages for loss





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Representations



- Statements
- Written or Oral
- Emails, Letters, etc.
- Breach...
 - Contract
 - Tort (outside contract)



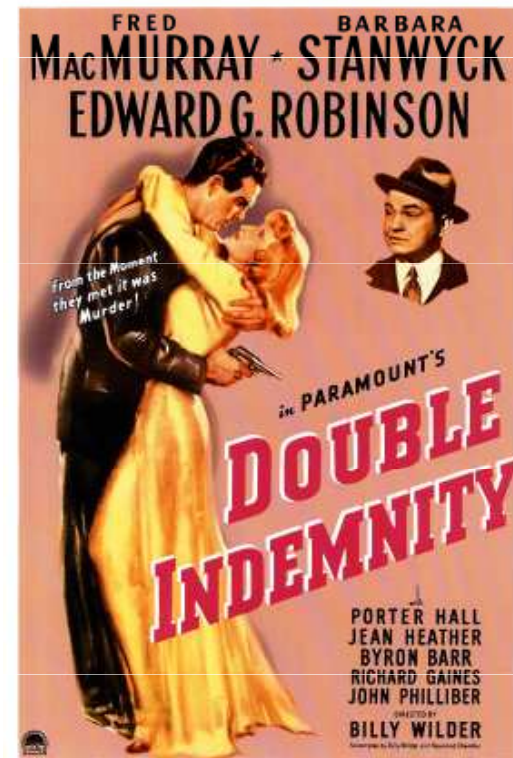
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Indemnities

- Making Contract “Whole”
- Protect from Loss
- Present / Future Loss
- Breach...
 - € for € Recovery
 - No Disclosure





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Covenants / Undertakings



- They are both **Promises**
- Positive (I will pay you €€€)
- Negative (I won't sell all my assets)
- Breach...
 - Specific Performance
 - Make It True



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One Last Thing...

- **EC (Companies) (Amendment) Regulations 2007**
- Letters & Order Forms (& email)
- Paper or Electronic
- Company Websites
 - Name of company
 - Company number
 - Registered office
 - Place of registration





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Thank You!

www.pjod.ie