

DIPLOMA CENTRE

Certificate in Commercial Contracts



SESSION 01	TIME	DELIVERY
Saturday 24 February 2024	10am – 2:.45pm	Online & Onsite
<p>1 Course Introduction <i>Geraldine Rafferty, Course Leader</i></p> <p>2 The Role of the Commercial Lawyer - Commercial awareness; domain expert; proficient drafting; astute client management; business acumen; expectation management; advisory role; project management.</p> <p>3 Negotiating contracts and Risk Management - Taking instructions; due diligence; pre-contract documentation and correspondence; confidentiality agreements; the negotiation process; reviewing the draft contract.</p> <p>4 Introduction to Drafting Part I – Objectives; contract structure; requirements; rules of interpretation; express/implied terms; fixed, indefinite & renewable term; indemnity and liability, expiry by effluxion of time; cancellation; termination.</p> <p>5 Introduction to Drafting Part II - who is your client?; capacity & roadblocks; form of contract; clarity; defined terms; industry specific; exposure to loss; use of boilerplate clauses; execution.</p> <p>4hrs. Gen. CPD</p>		
SESSION 02	TIME	DELIVERY
Thursday 29 February 2024	6.15pm – 8.15pm	Online Only
<p>1 Supply Agreements – key legislative provisions; definition of a warranty; implied terms; supply of services; rules for exclusion; fair and reasonable; unfair terms.</p> <p>2 Outsourcing – Service levels and performance regimes; service description; performance indicators; change control; contract management; employee considerations; risk allocation; termination rights.</p> <p>4hrs. Gen. CPD</p>		
SESSION 03	TIME	DELIVERY
Thursday 7 March 2024	6.15pm – 8.15pm	Online Only
<p>1 Share Purchase Agreements I - How to structure a SPA, key issues and pitfalls in negotiation, Merger control and Part 3 of the Companies Act 2014.</p> <p>2 Share Purchase Agreements II - Financial Assistance and Section 82 of the Companies Act 2014.</p> <p>2hrs. Gen. CPD</p>		
SESSION 04	TIME	DELIVERY
Thursday 14 March 2024	6.15pm – 8.15pm	Online Only
<p>1 Agency & Distribution Agreements – Role of commercial agent; distinction between agents/distributors; duties of agent; rights of agent; duties and rights of distributors; commercial issues; remuneration; termination clauses; competition law considerations. <i>John Darby, Consultant, Flynn O’Driscoll</i></p> <p>2 E-Commerce, Intellectual Property & Technology Contracts – Pre-order information; failure to comply; retail websites; commercial drivers; IPR and website content; limitation of liability; user generated content; website privacy statement; cooling-off period; goods /services; concept of licensing; copyright; patentability.</p> <p>2hrs. Gen. CPD</p>		
SESSION 05	TIME	DELIVERY
Saturday 23 March 2024	10am to 2:30pm	Onsite Only
<p>1 Workshop I</p>		

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Practical application through case studies and drafting exercises of issues encountered in lectures relating to supply, agency and distribution agreements and share purchase agreements. TBC

1 hrs. Gen. & 2.5 hrs. M&PD CPD

SESSION 06

DELIVERY

Thursday 04 April 2024

Online Release

- 1 Consumer Law** – Unfair practices; misleading, aggressive and prohibited practices; sanctions and penalties; definitions of ‘product’, ‘producer’, ‘damage’ and ‘defective product’; core/non-core and unfair terms; adequacy of the price payable; plain and intelligible language.

1 hrs. eCPD

- 2 Licensing and Franchise Agreements** – Licensor/licensee; types of licence; sub-licensing; Franchisor/franchisee; defining rights and obligations; location and territory, duration, fees and royalties, advertising and marketing. .

1 hrs. eCPD

SESSION 07

TIME

DELIVERY

Thursday 11 April 2024

6.15 pm to 8.30pm

Online

- 1 Procurement Law and Practice** – procurement rules; works services or supply contracts; procurement procedures; tender evaluation; selection criteria; award criteria; disclosure requirements; procurement strategy checklist.
- 2 Data Protection in Commercial Contracts** – Legislative background; GDPR and the Data Protection Act 2018; role of the Controller; obligations; data protection clauses; outsourcing and The Cloud; data transfers.

2hrs. Gen. CPD

SESSION 08

TIME

DELIVERY

Saturday 27 April 2024

9.45 am to 1pm

Onsite Only

- 1 Workshop II**
Practical application through case studies and drafting exercises of issues encountered in lectures relating to technology and e-commerce contracts, website terms and conditions, and data protection provisions. TBC

1hr. Gen. & 2hrs. M&PD CPD

ASSIGNMENT DATE: 6 June 2024 at 4.30 pm

Please note that topics & dates may be subject to change. Draft timetable as of Nov 2023.

* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits. **CPD Note:** The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you access each of the individual sessions. For further information please visit the course homepage on our website: www.lawsociety.ie/diplomacentre