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IT Contracts: Pitfalls to Avoid

Thursday 22 April 2010, WHK Business Growth Centre, WHK Tower, Shortland Street

Lessons from the landmark BSkyB v EDS case

This seminar will examine a selection of key clauses and issues in IT contracts and provide practical guidance on the pitfalls to avoid when bidding for, negotiating and drafting new agreements – including:

- entire agreement clauses and the law on misrepresentation
- incomplete agreements
- clauses that seek to exclude certain types of loss
- clauses that seek to restrict the total amount that can be recovered
- termination clauses and repudiatory breach at common law.

These issues will be considered by reference to current New Zealand law and the recent decision of the English High Court in BSkyB v EDS. This is one of the largest and most significant IT cases to reach court in recent times and includes a finding of fraudulent misrepresentation against EDS. It is also a case that all commercial contracts lawyers (not just IT lawyers) and their clients should be aware of.

Speaker

Michael Bywell

Michael has spent the past 20 years practising law in the UK. He has undertaken mediation and litigation work for global IT companies such as Atos Origin, Cag Gemini, EDS, Logica, McDonnell Douglas (IT division), The Innovation Group and a number of telecoms companies.

He has also represented IT customers including banks, utility companies, Transport for London (Congestion Charging Scheme) and the UK Government (National Health Service). Michael studied at Otago University and has recently moved back to New Zealand.

Cost

\$125 plus GST

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