

Information Sheet



Directors Duties

The Act, for the first time in Irish company law, sets out the fiduciary duties of a director of an Irish company.

A director must:

1. act in good faith;
2. act honestly and responsibly;
3. act in accordance with the company's constitution;
4. not use the company's property, information or opportunities for the director's own, or anyone else's, benefit;
5. not agree to restrict the director's power to exercise an independent judgement;
6. avoid any conflict between the director's duties to the company and the director's other interests;
7. exercise the care, skill and diligence which would be exercised in the same circumstances by a reasonable person in the same position with the same knowledge; and
8. have regard to the interests of its employees and of its members as a whole.