



Contracts (Privity) Amendment Act 2002

Public Act 2002 No 77
Date of assent 18 December 2002
Commencement see section 2

Contents

1	Title	6	Sections 10 and 11 repealed
2	Commencement	7	New section 13A inserted
3	Interpretation		13A Act does not apply to
4	Limitation on variation or discharge of promise		promises, contracts, or deeds governed by foreign law
5	Availability of defences		

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Contracts (Privity) Amendment Act 2002.
- (2) In this Act, the Contracts (Privity) Act 1982 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Interpretation

Section 2 of the principal Act is amended by repealing the definition of **Court**, and substituting the following definition:

“**Court** means, in relation to any matter, the court, tribunal, or arbitral tribunal by or before which the matter falls to be determined”.

- 4 Limitation on variation or discharge of promise**
Section 5 of the principal Act is amended by omitting the word “arbitrator” in each place where it occurs, and substituting in each case the words “arbitral tribunal”.
- 5 Availability of defences**
Section 9(1) of the principal Act is amended by omitting the words “or an arbitration”.
- 6 Sections 10 and 11 repealed**
The principal Act is amended by repealing sections 10 and 11.
- 7 New section 13A inserted**
The principal Act is amended by inserting, after section 13, the following section:
- “13A Act does not apply to promises, contracts, or deeds governed by foreign law**
This Act does not apply to any promise, contract, or deed, or any part of any promise, contract, or deed, that is governed by a law other than New Zealand law.”

Legislative history

12 December 2002	Divided from Statutes Amendment Bill (No 2) (Bill 198–2), third reading
18 December 2002	Royal assent

This Act is administered in the Ministry of Justice.
