

Mr Douglas

CONTRACTS (RACIAL EQUALITY)

ANALYSIS

Title	3. Discriminatory provisions to be void
1. Short Title	4. Consent not to be withheld
2. Interpretation	5. Act to be retrospective
	6. Act to bind the Crown

A BILL INTITULED

An Act to provide for the prevention of racial discrimination in contracts

BE IT ENACTED by the General Assembly of New Zealand
5 in Parliament assembled, and by the authority of the same,
as follows:

1. **Short Title**—This Act may be cited as the Contracts (Racial Equality) Act 1964.

2. **Interpretation**—In this Act,—

10 “Contract” includes any contract, agreement, arrange-
ment, conveyance, transfer, grant, mortgage, parti-
tion, exchange, lease, assignment or other assurance
or disposition and any declaration or creation of a
trust and any devise, bequest, or appointment and in
15 every case whether oral or in writing:

“Provision” includes any clause, condition, proviso,
regulation, exception, reservation, and any other
term whatsoever.

No. 83—1

Price 6d.

3. Discriminatory provisions to be void—Where any contract contains a provision which in any way whatsoever discriminates against or is likely to operate to the prejudice of any person on the ground whether wholly or in part of race or colour or other ethnic characteristic or in the case of a body corporate on the ground of the race colour or other ethnic characteristic of any member thereof such provision shall be wholly void and of no effect and the contract in which it is contained shall be construed and applied for all purposes as if such provision did not appear therein. 5
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4. Consent not to be withheld—Where rights under a contract are expressly or impliedly discretionary or subject to consent such discretion may not be exercised against any person nor may consent be withheld on the ground of the race colour or other ethnic characteristic of any person or in the case of a body corporate on the ground of the race colour or other ethnic characteristic of any member thereof. 15

5. Act to be retrospective—This Act shall apply to contracts made whether before or after the passing of this Act.

6. Act to bind the Crown—This Act shall bind the Crown. 20