



ANALYSIS

Title
1. Short Title

2. Contracts by minors below the age
of 18 years

1971, No. 111

An Act to amend the Minors' Contracts Act 1969

[8 December 1971

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

1. Short Title—This Act may be cited as the Minors' Contracts Amendment Act 1971, and shall be read together with and deemed part of the Minors' Contracts Act 1969 (hereinafter referred to as the principal Act).

2. Contracts by minors below the age of 18 years—Section 6 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) The Court may, in the course of any proceedings or on application made for the purpose, inquire into the fairness and reasonableness of any contract to which subsection (1) of this section applies at the time the contract was entered into and—

“(a) If it finds that any such contract was fair and reasonable at that time it shall not be obliged to make any order but it may in its discretion—

“(i) Enforce the contract against the minor:

“(ii) Declare that the contract is binding on the minor, whether in whole or in part:

“(iii) Make such order entitling the other parties to the contract, on such conditions as the Court thinks just, to cancel the contract:

“(iv) Make such order as to compensation or restitution of property under section 7 of this Act as it thinks just; and

“(b) If it finds that any such contract was not fair and reasonable at that time it shall not be obliged to make any order but it may in its discretion—

“(i) Cancel the contract:

“(ii) Make such order entitling the minor, on such conditions as the Court thinks just, to cancel the contract:

“(iii) Make such order as to compensation or restitution of property under section 7 of this Act as it thinks just.”

This Act is administered in the Department of Justice.
