

DOOR TO DOOR SALES AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Door to Door Sales Act 1967. It extends the protection given to purchasers under the Door to Door Sales Act to cover agreements for the performance of any work or services. The Act at present only provides a purchaser with protection where an agreement is in respect of goods.

Clause 1 relates to the Short Title.

Clause 2 amends the definitions of "credit agreement", "credit-sale agreement", "purchaser", "total purchase price", and "vendor" to cover agreements for the supply of goods and services.

Clause 3 contains consequential amendments to sections 4, 6, and 11 of the principal Act.

Clause 4 provides for compensation to be paid to a vendor where loss has arisen through the use of services other than that caused by normal use.

Mr Downie

DOOR TO DOOR SALES AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to Amend the Door to Door Sales Act 1967

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

1. Short Title—This Act may be cited as the Door to Door Sales Amendment Act 1973, and shall be read together with and deemed part of the Door to Door Sales Act 1967 (hereinafter referred to as the principal Act).

10 **2. Interpretation**—(1) Section 2 of the principal Act is hereby amended as follows:

- 15 (a) By inserting in the definition of the term “credit agreement” after the words “credit-sale agreement” the words “agreement for the performance of any work or services,” and by inserting after the word “goods” where it first appears the words “or services”:
- (b) By inserting in the definition of the term “credit-sale agreement” after the word “goods” the words “or services”:

- (c) By inserting in the definition of the term "purchaser" after the word "goods" the words "or services":
- (d) By inserting in the definition of the term "total purchase price" after the word "goods" the words "or services": 5
- (e) By inserting in the definition of the term "vendor" after the word "goods" the words "or services".

3. Consequential amendments—(1) Section 4 of the principal Act is hereby amended by inserting, after the word "goods" the words "or services". 10

(2) For the purposes of paragraph (b) of subsection (1) of section 6 of the principal Act the instructions contained in Part II of the First Schedule shall be modified by including in paragraph (1) after the word "goods" the words "or services". 15

(3) For the purposes of paragraph (c) of subsection (1) of section 6 of the principal Act the note on the form set out in the Second Schedule to that Act shall include after the word "goods" the words "or services".

(4) Section 11 of the principal Act is hereby amended by inserting in subsection (1) after the word "goods" the words "or services". 20

4. Compensation for loss caused to vendor—The purchaser shall be liable to pay compensation for any loss caused to the vendor through the acceptance by the purchaser of any of the services the subject of any credit agreement, other than loss arising from the normal use of the services provided, or loss arising from circumstances beyond his control. 25