

**Reprint
as at 1 September 2017**

Contractual Remedies Amendment Act 2002

Public Act 2002 No 79
Date of assent 18 December 2002

Contractual Remedies Amendment Act 2002: repealed, on 1 September 2017, pursuant to section 345(1)(d) of the Contract and Commercial Law Act 2017 (2017 No 5).

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Contractual Remedies Amendment Act 2002.
- (2) In this Act, the Contractual Remedies Act 1979 is called “the principal Act”.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this eprint. See the notes at the end of this eprint for further details.

This Act is administered by the Ministry of Justice.

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 Cancellation of contract

Section 7 of the principal Act is amended by omitting from subsections (3)(b) and (c) and (4)(a) the word “stipulation” wherever it occurs, and substituting in each case the word “term”.

5 Rules applying to cancellation

Section 8(1) of the principal Act is amended by repealing paragraph (b), and substituting the following paragraph:

- (b) before the time at which the party cancelling the contract evinces, by some overt means reasonable in the circumstances, an intention to cancel the contract, if—
- (i) it is not reasonably practicable for the cancelling party to communicate with the other party; or
 - (ii) the other party cannot reasonably expect to receive notice of the cancellation because of that party’s conduct in relation to the contract.

6 Sections 12 and 13 repealed

The principal Act is amended by repealing sections 12 and 13.

7 New section 14A inserted

The principal Act is amended by inserting, after section 14, the following section:

14A Act does not apply to contracts governed by foreign law

This Act does not apply to any contract, or any part of any contract, that is governed by a law other than New Zealand law.

Eprint notes

1 *General*

This is an eprint of the Contractual Remedies Amendment Act 2002 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this eprint*

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this eprint*

Contract and Commercial Law Act 2017 (2017 No 5): section 345(1)(d)