

**Reprint  
as at 1 September 2017**

**Contracts (Privity) Amendment Act 2002**

Public Act    2002 No 77  
Date of assent    18 December 2002

Contracts (Privity) Amendment Act 2002: repealed, on 1 September 2017, pursuant to section 345(1)(b) of the Contract and Commercial Law Act 2017 (2017 No 5).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 Contracts (Privity) Amendment Act 2002.
- (2)    In this Act, the Contracts (Privity) Act 1982 is called “the principal Act”.

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**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 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## 6 Sections 10 and 11 repealed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.

## **Eprint notes**

### **1    *General***

This is an eprint of the Contracts (Privity) 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)(b)