STATUTORY INSTRUMENTS

1988 No. 930 (N.I. 9)

The Minors' Contracts (Northern Ireland) Order 1988

- - - - - - *25th May 1988*

Title and commencement

1. This Order may be cited as the Minors' Contracts (Northern Ireland) Order 1988 and shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Disapplication of Infants Relief Act 1874, etc.

3. The following enactments shall not apply to any contract made by a minor after the coming into operation of this Order—

(a) the Infants Relief Act 1874 (which invalidates certain contracts made by minors and prohibits actions to enforce contracts ratified after majority); and

(b) section 5 of the Betting and Loans (Infants) Act 1892 (which invalidates contracts to repay loans advanced during minority).

Guarantees

4. Where—

(a) a guarantee is given in respect of an obligation of a party to a contract made after the coming into operation of this Order, and

(b) the obligation is unenforceable against him (or he repudiates the contract) because he was a minor when the contract was made,

the guarantee shall not for that reason alone be unenforceable against the guarantor.

Restitution

5.—(1) Where—

(a) a person (“the plaintiff”) has after the coming into operation of this Order entered into a contract with another (“the defendant”), and

(b) the contract is unenforceable against the defendant (or he repudiates it) because he was a minor when the contract was made,