

1970 Bill 139

Third Session, 16th Legislature, ~~19 Elizabeth II~~

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 139

An Act respecting Minors' Contracts

MR. DICKIE

First Reading

Second Reading

Third Reading

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1970

An Act respecting Minors' Contracts

(Assented to _____, 1970)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as *The Minors' Contracts Act*.

2. (1) Subject to the provisions of this section, every contract which is entered into by a minor who has attained the age of 18 years shall have effect as if the minor was of the age of 21 years.

(2) If the Court is satisfied in respect of any contract to which subsection (1) of this section applies that, at the time the contract was entered into

(a) the consideration for a minor's promise or act was so inadequate as to be unconscionable, or

(b) any provision of any such contract imposing an obligation on any party thereto who was harsh or oppressive,

it may, in the course of any proceedings or on application made for the purpose, cancel the contract, or decline to enforce the contract against the minor or declare that the contract is unenforceable against the minor, whether in whole or in part.

3. (1) Subject to the provisions of this section every contract entered into by a minor who has not attained the age of 18 years shall be unenforceable against the minor.

(2) If the Court is satisfied that any contract to which subsection (1) of this section applies was, at the time the contract was entered into a fair and reasonable one, it may, in its discretion in the course of any proceedings or on application made for the purpose enforce the contract against the minor or declare that the contract is binding on the minor.

4. This Act comes into force on the day upon which it is assented to.