

**THE LAW OF CONTRACT (AMENDMENT) ACT
1968**

No. 28 of 1968

Date of Assent: 27th April 1968

Date of Commencement: 3rd May 1968

An Act of Parliament to amend the Law of Contract Act to require contracts for the disposition of an interest in land to be in writing

ENACTED by the Parliament of Kenya, as follows:—

Short title.

1. This Act may be cited as the Law of Contract (Amendment) Act 1968.

Amendment of
Cap. 23.

2. Section 3 of the Law of Contract Act is amended—

(a) by replacing the marginal note with “Certain contracts to be in writing.”; and

(b) by substituting for subsection (3) thereof a new subsection as follows—

(3) No suit shall be brought upon a contract for the disposition of an interest in land unless the agreement upon which the suit is founded, or some memorandum or note thereof, is in writing and is signed by the party to be charged or by some person authorized by him to sign it:

Provided that such a suit shall not be prevented by reason only of the absence of writing, where an intending purchaser or lessee who has performed or is willing to perform his part of a contract—

(i) has in part performance of the contract taken possession of the property or any part thereof; or

(ii) being already in possession, continues in possession in part performance of the contract and has done some other act in furtherance of the contract.

Amendment of
Cap. 300.

3. Section 38 (2) of the Registered Land Act is amended by deleting all the words appearing therein after the words “from operating as a contract”.