



Supply of Goods (Implied Terms) Act 1973

1973 CHAPTER 13

Hire-purchase agreements

[11A ^{F1} Modification of remedies for breach of statutory condition in non-consumer cases.

- (1) Where in the case of a [^{F2}relevant hire-purchase agreement]—
 - (a) the person to whom goods are bailed would, apart from this subsection, have the right to reject them by reason of a breach on the part of the creditor of a term implied by section 9, 10 or 11(1)(a) or (c) above, but
 - (b) the breach is so slight that it would be unreasonable for him to reject them,
^{F3}... the breach is not to be treated as a breach of condition but may be treated as a breach of warranty.
- (2) This section applies unless a contrary intention appears in, or is to be implied from, the agreement.
- (3) It is for the creditor to show—
 - (a) that a breach fell within subsection (1)(b) above, and
 - [^{F4}(b) that the agreement was a relevant hire-purchase agreement.]
- ^{F5}(4)
- (5) This section does not apply to Scotland.]

Textual Amendments

- F1** S. 11A inserted (E.W.N.I.) (3.1.1995) by 1994 c. 35, ss. 7, 8(2), **Sch. 2 para. 4(6)** (with s. 8(3))
- F2** Words in Act substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 1 para. 2**; [S.I. 2015/1630](#), art. 3(g) (with art. 6(1))
- F3** Words in s. 11A(1) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), **Sch. 1 para. 4(2)**; [S.I. 2015/1630](#), art. 3(g) (with art. 6(1))

Changes to legislation: There are currently no known outstanding effects for the Supply of Goods (Implied Terms) Act 1973, Section 11A. (See end of Document for details)

- F4** S. 11A(3)(b) substituted (1.10.2015) by Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 1 para. 4(3)**; S.I. 2015/1630, art. 3(g) (with art. 6(1))
- F5** S. 11A(4) omitted (1.10.2015) by virtue of Consumer Rights Act 2015 (c. 15), s. 100(5), **Sch. 1 para. 4(4)**; S.I. 2015/1630, art. 3(g) (with art. 6(1))

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