



Unfair Contract Terms Act 1977

1977 CHAPTER 50

PART II

AMENDMENT OF LAW FOR SCOTLAND

19 " Guarantee " of consumer goods

- (1) This section applies to a guarantee—
 - (a) in relation to goods which are of a type ordinarily supplied for private use or consumption ; and
 - (b) which is not a guarantee given by one party to the other party to a contract under or in pursuance of which the ownership or possession of the goods to which the guarantee relates is transferred.
- (2) A term of a guarantee to which this section applies shall be void in so far as it purports to exclude or restrict liability for loss or damage (including death or personal injury)—
 - (a) arising from the goods proving defective while—
 - (i) in use otherwise than exclusively for the purposes of a business; or
 - (ii) in the possession of a person for such use; and
 - (b) resulting from the breach of duty of a person concerned in the manufacture or distribution of the goods.
- (3) For the purposes of this section, any document is a guarantee if it contains or purports to contain some promise or assurance (however worded or presented) that defects will be made good by complete or partial replacement, or by repair, monetary compensation or otherwise.