



# Unfair Contract Terms Act 1977

## 1977 CHAPTER 50

### PART I

#### AMENDMENT OF LAW FOR ENGLAND AND WALES AND NORTHERN IRELAND

##### *Liability arising from sale or supply of goods*

#### **7 Miscellaneous contracts under which goods pass.**

- (1) Where the possession or ownership of goods passes under or in pursuance of a contract not governed by the law of sale of goods or hire-purchase, subsections (2) to (4) below apply as regards the effect (if any) to be given to contract terms excluding or restricting liability for breach of obligation arising by implication of law from the nature of the contract.
- (2) As against a person dealing as consumer, liability in respect of the goods' correspondence with description or sample, or their quality or fitness for any particular purpose, cannot be excluded or restricted by reference to any such term.
- (3) As against a person dealing otherwise than as consumer, that liability can be excluded or restricted by reference to such a term, but only in so far as the term satisfies the requirement of reasonableness.

[<sup>F1</sup>(3A) Liability for breach of the obligations arising under section 2 of the Supply of Goods and Services Act 1982 (implied terms about title etc. in certain contracts for the transfer of the property in goods) cannot be excluded or restricted by reference to any such term.]

- (4) Liability in respect of—
  - (a) the right to transfer ownership of the goods, or give possession; or
  - (b) the assurance of quiet possession to a person taking goods in pursuance of the contract,

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Unfair Contract Terms Act 1977, Section 7. (See end of Document for details)*

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cannot [<sup>F2</sup>(in a case to which subsection (3A) above does not apply)], be excluded or restricted by reference to any such term except in so far as the term satisfies the requirement of reasonableness.

- (5) This section does not apply in the case of goods passing on a redemption of trading stamps within the <sup>M1</sup> Trading Stamps Act 1964 or the <sup>M2</sup> Trading Stamps Act (Northern Ireland) 1965.

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**Textual Amendments**

**F1** S. 7(3A) inserted by [Supply of Goods and Services Act 1982 \(c. 29, SIF 109:1\)](#), **ss. 17(2)**, 20(5)

**F2** Words inserted by [Supply of Goods and Services Act 1982 \(c. 29, SIF 109:1\)](#), **ss. 17(3)**, 20(5)

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**Marginal Citations**

**M1** [1964 c. 71](#)

**M2** [1965 c. 6 \(N.I.\)](#)

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Unfair Contract Terms Act 1977, Section 7.