



Supply of Goods and Services Act 1982

1982 CHAPTER 29

PART I

SUPPLY OF GOODS

Contracts for the transfer of property in goods

5 Implied terms where transfer is by sample.

- (1) This section applies where, under a [^{F1}relevant contract for the transfer of goods], the transferor transfers or agrees to transfer the property in the goods by reference to a sample.
- (2) In such a case there is an implied condition—
 - (a) that the bulk will correspond with the sample in quality; and
 - (b) that the transferee will have a reasonable opportunity of comparing the bulk with the sample; and
 - (c) that the goods will be free from any defect, [^{F2}making their quality unsatisfactory], which would not be apparent on reasonable examination of the sample.

^{F3}(3)

- (4) For the purposes of this section a transferor transfers or agrees to transfer the property in goods by reference to a sample where there is an express or implied term to that effect in the contract concerned.

Textual Amendments

- F1** Words in Act substituted (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 1 para. 38\(a\)](#); S.I. 2015/1630, art. 3(g) (with art. 6(1))
- F2** Words in s. 5(2)(c) substituted (3.1.1995) by [1994 c. 35](#), ss. 7, 8(2), [Sch. 2 para. 6\(4\)\(a\)](#) (with s. 8(3))
- F3** S. 5(3) repealed (3.1.1995) by [1994 c. 35](#), ss. 7, 8(2), [Sch. 2 para. 6\(4\)\(b\)](#), [Sch.3](#) (with s. 8(3))

Changes to legislation:

There are currently no known outstanding effects for the Supply of Goods and Services Act 1982, Section 5.