

SCHEDULES

SCHEDULE 1

Section 60

AMENDMENTS CONSEQUENTIAL ON PART 1

Supply of Goods (Implied Terms) Act 1973 (c. 13)

- 1 The Supply of Goods (Implied Terms) Act 1973 is amended as follows.
- 2 For “hire-purchase agreement” (or “hire purchase agreement”) in each place, except in section 15(1), substitute “relevant hire-purchase agreement”.
- 3 (1) Section 10 (implied undertakings as to quality or fitness) is amended as follows.
 - (2) Omit subsections (2D) to (2F).
 - (3) Omit subsection (8).
- 4 (1) Section 11A (modification of remedies for breach of statutory condition in non-consumer cases) is amended as follows.
 - (2) In subsection (1) omit “then, if the person to whom the goods are bailed does not deal as consumer.”.
 - (3) In subsection (3), for paragraph (b) substitute—
 - “(b) that the agreement was a relevant hire-purchase agreement.”
 - (4) Omit subsection (4).
- 5 In section 12A (remedies for breach of hire-purchase agreement as respects Scotland) omit subsections (2) and (3).
- 6 Omit section 14 (special provisions as to conditional sale agreements).
- 7 (1) Section 15 (supplementary) is amended as follows.
 - (2) In subsection (1)—
 - (a) in the definition of “hire-purchase agreement” at the end insert—
 - “and a hire-purchase agreement is relevant if it is not a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies;”, and
 - (b) omit the definition of “producer”.
 - (3) Omit subsection (3).

Sale of Goods Act 1979 (c. 54)

- 8 The Sale of Goods Act 1979 is amended as follows.
- 9 In section 1 (contracts to which Act applies), after subsection (4) insert—
 - “(5) Certain sections or subsections of this Act do not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.

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- (6) Where that is the case it is indicated in the section concerned.”
- 10 In section 11 (when condition to be treated as warranty), after subsection (4) insert—
- “(4A) Subsection (4) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”
- 11 In section 12 (implied terms about title etc), after subsection (6) insert—
- “(7) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 17 of that Act).”
- 12 In section 13 (sale by description), after subsection (4) insert—
- “(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 11 of that Act).”
- 13 (1) Section 14 (implied terms about quality or fitness) is amended as follows.
- (2) Omit subsections (2D) to (2F).
- (3) After subsection (8) insert—
- “(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 9, 10 and 18 of that Act).”
- 14 In section 15 (sale by sample), after subsection (4) insert—
- “(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 13 and 18 of that Act).”
- 15 In section 15A (modification of remedies for breach of condition in non-consumer cases), in subsection (1) omit “then, if the buyer does not deal as consumer.”
- 16 (1) Section 15B (remedies for breach of contract as respects Scotland) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”
- (3) Omit subsection (2).
- 17 (1) In section 20 (passing of risk), for subsection (4) substitute—
- “(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”
- (2) The marginal note “Passing of risk” substituted by the Sale and Supply of Goods to Consumers Regulations 2002 ([SI 2002/3045](#)) is not affected by the revocation of those Regulations by this Schedule.
- 18 In section 29 (rules about delivery), after subsection (3) insert—

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- “(3A) Subsection (3) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 28 of that Act).”
- 19 (1) Section 30 (delivery of wrong quantity) is amended as follows.
- (2) In subsection (2A) omit “who does not deal as consumer”.
- (3) After subsection (5) insert—
- “(6) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 25 of that Act).”
- 20 In section 31 (instalment deliveries) after subsection (2) insert—
- “(3) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 26 of that Act).”
- 21 In section 32 (delivery to carrier), for subsection (4) substitute—
- “(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”
- 22 (1) Section 33 (risk where goods are delivered at distant place) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) At the end insert—
- “(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”
- 23 (1) Section 34 (buyer’s right of examining the goods) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) At the end insert—
- “(2) Nothing in this section affects the operation of section 22 (time limit for short-term right to reject) of the Consumer Rights Act 2015.”
- 24 (1) Section 35 (acceptance) is amended as follows.
- (2) Omit subsection (3).
- (3) After subsection (8) insert—
- “(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”
- 25 In section 35A (right of partial rejection), after subsection (4) insert—
- “(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”

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- 26 (1) Section 36 (buyer not bound to return rejected goods) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) At the end insert—
- “ (2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 20 of that Act). ”
- 27 Omit Part 5A (additional rights of buyer in consumer cases).
- 28 In section 51 (damages for non-delivery), after subsection (3) insert—
- “ (4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act). ”
- 29 In section 52 (specific performance), after subsection (4) insert—
- “ (5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act). ”
- 30 In section 53 (remedy for breach of warranty), after subsection (4) insert—
- “ (4A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act). ”
- 31 In section 53A (measure of damages as respects Scotland), after subsection (2) insert—
- “ (2A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act). ”
- 32 (1) Section 54 (interest) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) At the end insert—
- “ (2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act). ”
- 33 In section 55 (exclusion of implied terms), after subsection (1) insert—
- “ (1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 31 of that Act). ”
- 34 (1) Section 58 (payment into court in Scotland) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) At the end insert—

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“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 27 of that Act).”

- 35 (1) Section 61 (interpretation) is amended as follows.
- (2) In subsection (1) omit the following definitions—
- (a) “consumer contract”;
 - (b) “producer”;
 - (c) “repair”.
- (3) Omit subsection (5A).
- 36 In section 62(2) (savings for rules of law etc), for “this Act” substitute “legislation including this Act and the Consumer Rights Act 2015”.

Supply of Goods and Services Act 1982 (c. 29)

- 37 The Supply of Goods and Services Act 1982 is amended as follows.
- 38 In each place—
- (a) for “contract for the transfer of goods” substitute “relevant contract for the transfer of goods”;
 - (b) for “contract for the hire of goods” substitute “relevant contract for the hire of goods”;
 - (c) for “contract for the supply of a service” substitute “relevant contract for the supply of a service”.
- 39 In section 1 (the contracts concerned: transfer of property in goods, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”
- 40 In section 4 (implied terms about quality or fitness in contracts for transfer of goods) omit subsections (2B) to (2D).
- 41 In section 5A (modification of remedies for breach of statutory condition in non-consumer cases), in subsection (1) omit “then, if the transferee does not deal as consumer,”.
- 42 In section 6 (the contracts concerned: hire of goods, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”
- 43 In section 9 (implied terms about quality or fitness in contracts for hire of goods) omit subsections (2B) to (2D).
- 44 In section 10A (modification of remedies for breach of statutory condition in non-consumer cases) in subsection (1) omit “then, if the bailee does not deal as consumer,”.
- 45 In section 11A (the contracts concerned: transfer of property in goods, as respects Scotland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”
- 46 In section 11D (implied terms about quality or fitness in contracts for transfer of property in goods) omit subsections (3A) to (3C) and (10).

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- 47 In section 11F (remedies for breach of contract) omit subsections (2) and (3).
- 48 In section 11G (the contracts concerned: hire of goods, as respects Scotland), in subsection (1) at the end insert “, and other than a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.”
- 49 In section 11J (implied terms about quality or fitness in contracts for hire of goods) omit subsections (3A) to (3C) and (10).
- 50 Omit Part 1B (additional rights of transferee in consumer cases).
- 51 In section 12 (the contracts concerned: supply of services, as respects England and Wales and Northern Ireland), in subsection (1) at the end insert “, other than a contract to which Chapter 4 of Part 1 of the Consumer Rights Act 2015 applies.”
- 52 (1) Section 18 (interpretation: general) is amended as follows.
- (2) In subsection (1) omit the definitions of “producer” and “repair”.
- (3) Omit subsection (4).

Sale and Supply of Goods to Consumers Regulations 2002 (SI 2002/3045)

- 53 The Sale and Supply of Goods to Consumers Regulations 2002 are revoked.

Regulatory Enforcement and Sanctions Act 2008 (c. 13)

- 54 In Schedule 3 to the Regulatory Enforcement and Sanctions Act 2008 (enactments specified for the purposes of Part 1), at the appropriate place insert—
“Consumer Rights Act 2015, Part 1”.

Consequential repeal and revocation

- 55 In consequence of the amendments made by this Schedule—
- (a) omit paragraph 5(9) of Schedule 2 to the Sale and Supply of Goods Act 1994, and
- (b) omit paragraph 97 of Schedule 2 to the Consumer Protection from Unfair Trading Regulations 2008 (SI 2008/1277).