



Sale of Goods Act 1979

1979 CHAPTER 54

PART V

RIGHTS OF UNPAID SELLER AGAINST THE GOODS

Preliminary

38 Unpaid seller defined.

- (1) The seller of goods is an unpaid seller within the meaning of this Act—
 - (a) when the whole of the price has not been paid or tendered;
 - (b) when a bill of exchange or other negotiable instrument has been received as conditional payment, and the condition on which it was received has not been fulfilled by reason of the dishonour of the instrument or otherwise.
- (2) In this Part of this Act “seller” includes any person who is in the position of a seller, as, for instance, an agent of the seller to whom the bill of lading has been indorsed, or a consignor or agent who has himself paid (or is directly responsible for) the price.

Changes to legislation:

There are currently no known outstanding effects for the Sale of Goods Act 1979, Section 38.