



# Sale of Goods Act 1979

## CHAPTER 54

### SALE OF GOODS ACT 1979

#### PART I

##### CONTRACTS TO WHICH ACT APPLIES

- 1 Contracts to which Act applies.

#### PART II

##### FORMATION OF THE CONTRACT

###### *Contract of sale*

- 2 Contract of sale.
- 3 Capacity to buy and sell.

###### *Formalities of contract*

- 4 How contract of sale is made.

###### *Subject matter of contract*

- 5 Existing or future goods.
- 6 Goods which have perished.
- 7 Goods perishing before sale but after agreement to sell.

###### *The price*

- 8 Ascertainment of price.
- 9 Agreement to sell at valuation.

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*Implied terms etc.*

- 10 Stipulations about time.
- 11 When condition to be treated as warranty.
- 12 Implied terms about title, etc.
- 13 Sale by description.
- 14 Implied terms about quality or fitness.

*Sale by sample*

- 15 Sale by sample.

*Miscellaneous*

- 15A Modification of remedies for breach of condition in non-consumer cases.
- 15B Remedies for breach of contract as respects Scotland.

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*Transfer of property as between seller and buyer*

- 16 Goods must be ascertained.
- 17 Property passes when intended to pass.
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- 19 Reservation of right of disposal.
- 20 Passing of risk.
- 20A Undivided shares in goods forming part of a bulk.
- 20B Deemed consent by co-owner to dealings in bulk goods.

*Transfer of title*

- 21 Sale by person not the owner.
- 22 Market overt.
- 23 Sale under voidable title.
- 24 Seller in possession after sale.
- 25 Buyer in possession after sale.
- 26 Supplementary to sections 24 and 25.

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- 28 Payment and delivery are concurrent conditions.
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- 30 Delivery of wrong quantity.
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- 33 Risk where goods are delivered at distant place.
- 34 Buyer's right of examining the goods.
- 35 Acceptance.
- 35A Right of partial rejection.
- 36 Buyer not bound to return rejected goods.
- 37 Buyer's liability for not taking delivery of goods.

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- 43 Termination of lien.

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- 45 Duration of transit.
- 46 How stoppage in transit is effected.

#### *Re-sale etc. by buyer*

- 47 Effect of sub-sale etc. by buyer.

#### *Rescission: and re-sale by seller*

- 48 Rescission: and re-sale by seller.

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- 51 Damages for non-delivery.
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*Interest, etc.*

54 Interest, etc.

**PART VII**

SUPPLEMENTARY

- 55 Exclusion of implied terms.
- 56 Conflict of laws.
- 57 Auction sales.
- 58 Payment into court in Scotland.
- 59 Reasonable time a question of fact.
- 60 Rights etc. enforceable by action.
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- 62 Savings: rules of law etc.
- 63 Consequential amendments, repeals and savings.
- 64 Short title and commencement.

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**SCHEDULES**

**SCHEDULE 1 — Modification of Act for Certain Contracts**

*Preliminary*

- 1 (1) This Schedule modifies this Act as it applies to...

*Section 11: condition treated as warranty*

- 2 In relation to a contract made before 22 April 1967...

*Section 12: implied terms about title etc.*

- 3 In relation to a contract made before 18 May 1973...

*Section 13: sale by description*

- 4 In relation to a contract made before 18 May 1973,...

*Section 14: quality or fitness (i)*

- 5 In relation to a contract made on or after 18...

*Section 14: quality or fitness (ii)*

- 6 In relation to a contract made before 18 May 1973...

*Section 15: sale by sample*

- 7 In relation to a contract made before 18 May 1973,...

*Section 22: market overt*

- 8 In relation to a contract under which goods were sold...

*Section 25: buyer in possession*

- 9 In relation to a contract under which a person buys...

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*Section 35: acceptance*

- 10 In relation to a contract made before 22 April 1967...

*Section 55: exclusion of implied terms (i)*

- 11 In relation to a contract made on or after 18...

*Section 55: exclusion of implied terms (ii)*

- 12 In relation to a contract made before 18 May 1973...

*Section 56: conflict of laws*

- 13 (1) In relation to a contract made on or after...

*Section 61(1): definition of “business” (i)*

- 14 In relation to a contract made on or after 18...

*Section 61(1): definition of “business” (ii)*

- 15 In relation to a contract made before 18 May 1973...

SCHEDULE 2 — Consequential Amendments

1 . . . . .

*Law Reform (Frustrated Contracts) Act 1943 (6 & 7 Geo. 6 c. 40)*

- 2 In section 2(5)(c) of the Law Reform (Frustrated Contracts) Act...

*Frustrated Contracts Act (Northern Ireland) 1947 (c. 2)*

- 3 In section 2(5)(c) of the Frustrated Contracts Act (Northern Ireland)...

*Hire-Purchase Act 1964 (c. 53)*

- 4 In section 27(5) of the Hire-Purchase Act 1964 (as originally...

*Hire-Purchase Act 1965 (c. 66)*

- 5 In section 20 of the Hire-Purchase Act 1965—  
6 In section 54 of the Hire-Purchase Act 1965 for “section...  
7 In section 58(1) of the Hire-Purchase Act 1965 for “the...

*Hire-Purchase (Scotland) Act 1965 (c. 67)*

- 8 In section 20 of the Hire-Purchase (Scotland) Act 1965 for...  
9 In section 50 of the Hire-Purchase (Scotland) Act 1965 for...  
10 In section 54(1) of the Hire-Purchase (Scotland) Act 1965 for...

*Hire-Purchase Act (Northern Ireland) 1966 (c. 42)*

- 11 In section 20 of the Hire-Purchase Act (Northern Ireland) 1966—...  
12 In section 54 of the Hire-Purchase Act (Northern Ireland) 1966...  
13 In section 62(5) of the Hire-Purchase Act (Northern Ireland) 1966...  
14 In section 65(1) of the Hire-Purchase Act (Northern Ireland) 1966...

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*Uniform Laws on International Sales Act 1967 (c. 45)*

- 15 For section 1(4) of the Uniform Laws on International Sales...

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

- 16 In section 14(1) of the Supply of Goods (Implied Terms)...
- 17 For the definition of “consumer sale” in section 15(1) of...

*Consumer Credit Act 1974 (c. 39)*

- 18 In section 189(1) of the Consumer Credit Act 1974, in...

*Unfair Contract Terms Act 1977 (c. 50)*

- 19 In section 6 of the Unfair Contract Terms Act 1977—...
- 20 In section 14 of the Unfair Contract Terms Act 1977,...
- 21 In section 20(1)(a) and (2)(a) of the Unfair Contract Terms...
- 22 In section 25(1) of the Unfair Contract Terms Act 1977,...

SCHEDULE 3 — Repeals

SCHEDULE 4 — Savings

*Preliminary*

- 1 In this Schedule references to the 1893 Act are to...

*Orders*

- 2 An order under section 14(8) or 25(4) above may make...

*Offences*

- 3 Where an offence was committed in relation to goods before...

*1893 Act, section 26*

- 4 The repeal by this Act of provisions of the 1893...

*Things done before 1 January 1894*

- 5 The repeal by this Act of section 60 of and...
- 6 In so far as the 1893 Act applied (immediately before...

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**Changes and effects yet to be applied to :**

- s. 3(2) words repealed by [2016 c. 18 \(N.I.\) Sch. 11](#)