



Sale of Goods Act 1979

1979 CHAPTER 54

PART II

FORMATION OF THE CONTRACT

Sale by sample

15 Sale by sample

- (1) A contract of sale is a contract for sale by sample where there is an express or implied term to that effect in the contract.
- (2) In the case of a contract for sale by sample there is an implied condition—
 - (a) that the bulk will correspond with the sample in quality;
 - (b) that the buyer will have a reasonable opportunity of comparing the bulk with the sample ;
 - (c) that the goods will be free from any defect, rendering them unmerchantable, which would not be apparent on reasonable examination of the sample.
- (3) In subsection (2)(c) above "unmerchantable" is to be construed in accordance with section 14(6) above.
- (4) Paragraph 7 of Schedule 1 below applies in relation to a contract made before 18 May 1973.