

SCHEDULES

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS

The Trading Stamps Act 1964 (c. 71)

- 1 (1) Section 4 of the Trading Stamps Act 1964 (terms to be implied on redemption of trading stamps) is amended as follows.
- (2) In subsection (1)(a) and (b) for “warranty” there is substituted “term” and for subsection (1)(c) there is substituted—
- “ (c) an implied term that the goods are of satisfactory quality.”
- (3) For subsections (2) and (3) there is substituted—
- “ (2) For the purposes of paragraph (c) of subsection (1) of this section, goods are of satisfactory quality if they meet the standard that a reasonable person would regard as satisfactory, taking account of any description of the goods and all the other relevant circumstances.
- (2A) For the purposes of that paragraph, the quality of goods includes their state and condition and the following (among others) are in appropriate cases aspects of the quality of goods—
- (a) fitness for all the purposes for which goods of the kind in question are commonly supplied,
- (b) appearance and finish,
- (c) freedom from minor defects,
- (d) safety, and
- (e) durability.
- (2B) The term implied by that paragraph does not extend to any matter making the quality of goods unsatisfactory—
- (a) which is specifically drawn to the attention of the person obtaining the goods before or at the time of redemption, or
- (b) where that person examines the goods before or at the time of redemption, which that examination ought to reveal.
- (3) As regards England and Wales, the terms implied by subsection (1) of this section are warranties.”