



# Sale of Goods Act 1893

1894 CHAPTER 71 56 and 57 Vict

## PART I

### FORMATION OF THE CONTRACT

#### *Conditions and Warranties*

#### **12 Implied undertaking as to title, &c**

In a contract of sale, unless the circumstances of the contract are such as to show a different intention, there is—

- (1) An implied condition on the part of the seller that in the case of a sale he has a right to sell the goods, and that in the case of an agreement to sell he will have a right to sell the goods at the time when the property is to pass:
- (2) An implied warranty that the buyer shall have and enjoy quiet possession of the goods:
- (3) An implied warranty that the goods shall be free from any charge or encumbrance in favour of any third party, not declared or known to the buyer before or at the time when the contract is made.