



# Sale of Goods Act 1893

1894 CHAPTER 71 56 and 57 Vict

## PART IV

### RIGHTS OF UNPAID SELLER AGAINST THE GOODS

#### 39 Unpaid seller's rights

- (1) Subject to the provisions of this Act, and of any statute in that behalf, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of goods, as such, has by implication of law—
  - (a) A lien on the goods or right to retain them for the price while he is in possession of them;
  - (b) In case of the insolvency of the buyer, a right of stopping the goods in transitu after he has parted with the possession of them;
  - (c) A right of re-sale as limited by this Act.
- (2) Where the property in goods has not passed to the buyer, the unpaid seller has, in addition to his other remedies, a right of withholding delivery similar to and co-extensive with his rights of lien and stoppage in transitu where the property has passed to the buyer.