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STATUTORY INSTRUMENTS

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**2013 No. 3134**

**The Consumer Contracts (Information, Cancellation  
and Additional Charges) Regulations 2013**

**PART 5**

**Delivery and risk**

**Passing of risk**

- 43.**—(1) A sales contract is to be treated as including the following provisions as terms.
- (2) The goods remain at the trader's risk until they come into the physical possession of—
- (a) the consumer, or
  - (b) a person identified by the consumer to take possession of the goods.
- (3) Paragraph (2) does not apply if the goods are delivered to a carrier who—
- (a) is commissioned by the consumer to deliver the goods, and
  - (b) is not a carrier the trader named as an option for the consumer.
- (4) In that case the goods are at the consumer's risk on and after delivery to the carrier.
- (5) Paragraph (4) does not affect any liability of the carrier to the consumer in respect of the goods.