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*Changes to legislation: There are currently no known outstanding effects for the Sale and Supply of Goods Act 1994, Paragraph 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 2

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Sale of Goods Act 1979 (c. 54)*

- 5 (1) The Sale of Goods Act 1979 is amended as follows.
- (2) In section 11 (when condition to be treated as warranty)—
- (a) for subsection (1) there is substituted —
- “(1) This section does not apply to Scotland.”; and
- (b) subsection (5) is omitted.
- (3) In section 12 (implied terms about title etc.)—
- (a) for “condition” (in subsection (1)) and for “warranty” (in subsections (2), (4) and (5)) there is substituted “ term ”; and
- (b) after subsection (5) there is inserted—
- “(5A) As regards England and Wales and Northern Ireland, the term implied by subsection (1) above is a condition and the terms implied by subsections (2), (4) and (5) above are warranties.”
- (4) In section 13 (sale by description)—
- (a) in subsection (1) for “condition” there is substituted “ term ”; and
- (b) after that subsection there is inserted—
- “(1A) As regards England and Wales and Northern Ireland, the term implied by subsection (1) above is a condition.”
- (5) In section 14 (implied terms about quality or fitness)—
- (a) for “condition or warranty” (in subsections (1) and (4)) and for “condition” (in subsection (3)) there is substituted “ term ”; and
- (b) for subsection (6) there is substituted—
- “(6) As regards England and Wales and Northern Ireland, the terms implied by subsections (2) and (3) above are conditions.”
- (6) In section 15 (sale by sample)—
- (a) in subsection (2), for “condition” there is substituted “ term ” and paragraph (b) is omitted; and
- (b) for subsection (3) there is substituted—
- “(3) As regards England and Wales and Northern Ireland, the term implied by subsection (2) above is a condition.”
- (7) In section 53 (remedy for breach of warranty) for subsection (5) there is substituted—

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“(5) This section does not apply to Scotland.”

(8) In section 55 (exclusion of implied terms) in subsection (2) for “condition or warranty” (in both places) there is substituted “ term ”.

<sup>F1</sup>(9) .....

(10) For the heading “*Conditions and warranties*” that precedes sections 10 to 14 there is substituted the heading “ *Implied terms etc.* ”.

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**Textual Amendments**

**F1** Sch. 2 para. 5(9) omitted (1.10.2015) by virtue of [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 1 para. 55\(a\)](#); S.I. 2015/1630, art. 3(g) (with art. 6(1))

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