

Changes to legislation: There are currently no known outstanding effects for the Consumer Rights Act 2015, Cross Heading: Sale of Goods Act 1979 (c. 54). (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS CONSEQUENTIAL ON PART 1

Sale of Goods Act 1979 (c. 54)

8 The Sale of Goods Act 1979 is amended as follows.

Commencement Information

I1 Sch. 1 para. 8 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

9 In section 1 (contracts to which Act applies), after subsection (4) insert—

“(5) Certain sections or subsections of this Act do not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies.

(6) Where that is the case it is indicated in the section concerned.”

Commencement Information

I2 Sch. 1 para. 9 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

10 In section 11 (when condition to be treated as warranty), after subsection (4) insert—

“(4A) Subsection (4) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”

Commencement Information

I3 Sch. 1 para. 10 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

11 In section 12 (implied terms about title etc), after subsection (6) insert—

“(7) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 17 of that Act).”

Commencement Information

I4 Sch. 1 para. 11 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

12 In section 13 (sale by description), after subsection (4) insert—

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“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 11 of that Act).”

Commencement Information

I5 Sch. 1 para. 12 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 13 (1) Section 14 (implied terms about quality or fitness) is amended as follows.
- (2) Omit subsections (2D) to (2F).
- (3) After subsection (8) insert—

“(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 9, 10 and 18 of that Act).”

Commencement Information

I6 Sch. 1 para. 13 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 14 In section 15 (sale by sample), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 13 and 18 of that Act).”

Commencement Information

I7 Sch. 1 para. 14 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 15 In section 15A (modification of remedies for breach of condition in non-consumer cases), in subsection (1) omit “then, if the buyer does not deal as consumer,”.

Commencement Information

I8 Sch. 1 para. 15 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 16 (1) Section 15B (remedies for breach of contract as respects Scotland) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in sections 19 to 22 of that Act).”
- (3) Omit subsection (2).

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I9 Sch. 1 para. 16 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

17 (1) In section 20 (passing of risk), for subsection (4) substitute—

“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

(2) The marginal note “Passing of risk” substituted by the Sale and Supply of Goods to Consumers Regulations 2002 (SI 2002/3045) is not affected by the revocation of those Regulations by this Schedule.

Commencement Information

I10 Sch. 1 para. 17 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

18 In section 29 (rules about delivery), after subsection (3) insert—

“(3A) Subsection (3) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 28 of that Act).”

Commencement Information

I11 Sch. 1 para. 18 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

19 (1) Section 30 (delivery of wrong quantity) is amended as follows.

(2) In subsection (2A) omit “who does not deal as consumer”.

(3) After subsection (5) insert—

“(6) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 25 of that Act).”

Commencement Information

I12 Sch. 1 para. 19 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

20 In section 31 (instalment deliveries) after subsection (2) insert—

“(3) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 26 of that Act).”

Commencement Information

I13 Sch. 1 para. 20 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

21 In section 32 (delivery to carrier), for subsection (4) substitute—

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“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

Commencement Information

I14 Sch. 1 para. 21 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 22 (1) Section 33 (risk where goods are delivered at distant place) is amended as follows.
- (2) At the beginning insert “ (1) ”.
- (3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 29 of that Act).”

Commencement Information

I15 Sch. 1 para. 22 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 23 (1) Section 34 (buyer's right of examining the goods) is amended as follows.
- (2) At the beginning insert “ (1) ”.
- (3) At the end insert—

“(2) Nothing in this section affects the operation of section 22 (time limit for short-term right to reject) of the Consumer Rights Act 2015.”

Commencement Information

I16 Sch. 1 para. 23 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 24 (1) Section 35 (acceptance) is amended as follows.
- (2) Omit subsection (3).
- (3) After subsection (8) insert—

“(9) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”

Commencement Information

I17 Sch. 1 para. 24 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

- 25 In section 35A (right of partial rejection), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 21 of that Act).”

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I18 Sch. 1 para. 25 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

26 (1) Section 36 (buyer not bound to return rejected goods) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 20 of that Act).”

Commencement Information

I19 Sch. 1 para. 26 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

27 Omit Part 5A (additional rights of buyer in consumer cases).

Commencement Information

I20 Sch. 1 para. 27 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

28 In section 51 (damages for non-delivery), after subsection (3) insert—

“(4) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I21 Sch. 1 para. 28 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

29 In section 52 (specific performance), after subsection (4) insert—

“(5) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I22 Sch. 1 para. 29 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

30 In section 53 (remedy for breach of warranty), after subsection (4) insert—

“(4A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

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I23 Sch. 1 para. 30 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

31 In section 53A (measure of damages as respects Scotland), after subsection (2) insert—

“(2A) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I24 Sch. 1 para. 31 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

32 (1) Section 54 (interest) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 19 of that Act).”

Commencement Information

I25 Sch. 1 para. 32 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

33 In section 55 (exclusion of implied terms), after subsection (1) insert—

“(1A) Subsection (1) does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 31 of that Act).”

Commencement Information

I26 Sch. 1 para. 33 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

34 (1) Section 58 (payment into court in Scotland) is amended as follows.

(2) At the beginning insert “ (1) ”.

(3) At the end insert—

“(2) This section does not apply to a contract to which Chapter 2 of Part 1 of the Consumer Rights Act 2015 applies (but see the provision made about such contracts in section 27 of that Act).”

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I27 Sch. 1 para. 34 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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35 (1) Section 61 (interpretation) is amended as follows.

(2) In subsection (1) omit the following definitions—

- (a) “consumer contract”;
- (b) “producer”;
- (c) “repair”.

(3) Omit subsection (5A).

Commencement Information

I28 Sch. 1 para. 35 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

36 In section 62(2) (savings for rules of law etc), for “this Act” substitute “legislation including this Act and the Consumer Rights Act 2015”.

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I29 Sch. 1 para. 36 in force at 1.10.2015 by S.I. 2015/1630, art. 3(g) (with art. 6(1))

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