
STATUTORY INSTRUMENTS

1983 No. 1572

SALE OF GOODS

The Sale of Goods Act 1979 (Appointed Day) Order 1983

Made - - - - *24th October 1983*

The Secretary of State, in exercise of the powers conferred on him by sections 14(8) and 25(4) of the Sale of Goods Act 1979, hereby makes the following Order:—

1. This Order may be cited as the Sale of Goods Act 1979 (Appointed Day) Order 1983.
2. For the purposes of sections 14(7) and 25(3) of, and paragraphs 5 and 9 of Schedule 1 to, the Sale of Goods Act 1979, the appointed day shall be 19th May 1985.

24th October 1983

Alexander Fletcher
Parliamentary Under-Secretary of State
Department of Trade and Industry

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EXPLANATORY NOTE

By virtue of section 14(7) of the Sale of Goods Act 1979, section 14 of that Act (which relates to implied terms about quality or fitness) applies to contracts made before 18th May 1973 in the form in which that section is set out in paragraph 6 of the Sale of Goods Act 1893 (c. 71 (56 & 57 Vict.)). In relation to contracts made on or after 18th May 1973 and before the “appointed day”, section 14 applies in the form set out in paragraph 5 of that Schedule, which reflects amendments made by the Supply of Goods (Implied Terms) Act 1973 (c. 13).

Contracts made on and after the “appointed day” are governed by section 14 as it appears in the body of the Act, reflecting changes of terminology and repeals brought about by the Consumer Credit Act 1974 (c. 39).

This Order appoints 19th May 1985 (which is the day on which the relevant provisions of the Consumer Credit Act 1974 come into force) as the “appointed day” for the purpose of these provisions.

The same day is appointed for the purposes of section 25(3) of and paragraph 9 of Schedule 1 to the 1979 Act, under which sub-section (2) of section 25 of that Act only applies in relation to contracts made on or after the “appointed day”. Section 25(2) again reflects changes of terminology brought about by the Consumer Credit Act 1974 and amendments made to the Factors Act 1889 (c. 45) by Schedule 4 to that Act, and provides that the buyer under a conditional sale agreement is not a “buyer” for the purposes of Section 25(1), which relates to the transfer of title when a buyer is in possession of goods after sale.