



Sale and Supply of Goods Act 1994

1994 CHAPTER 35

Provisions relating to the United Kingdom

3 Right of partial rejection

(1) After section 35 of the Sale of Goods Act 1979 there is inserted the following section—

“35A Right of partial rejection

- (1) If the buyer—
 - (a) has the right to reject the goods by reason of a breach on the part of the seller that affects some or all of them, but
 - (b) accepts some of the goods, including, where there are any goods unaffected by the breach, all such goods,he does not by accepting them lose his right to reject the rest.
- (2) In the case of a buyer having the right to reject an instalment of goods, subsection (1) above applies as if references to the goods were references to the goods comprised in the instalment.
- (3) For the purposes of subsection (1) above, goods are affected by a breach if by reason of the breach they are not in conformity with the contract.
- (4) This section applies unless a contrary intention appears in, or is to be implied from, the contract.”

(2) At the beginning of section 11(4) of that Act (effect of accepting goods) there is inserted “Subject to section 35A below”.

(3) Section 30(4) of that Act (rejection of goods not within contract description) is repealed.